

**ABSTRACTS OF PUBLIC CHAPTERS
PASSED BY THE
ONE HUNDRED SIXTH GENERAL ASSEMBLY
2010**

PREPARED BY:
THE OFFICE OF LEGAL SERVICES
WAR MEMORIAL BUILDING
NASHVILLE, TENNESSEE 37243

**General Assembly of Tennessee
OFFICE OF LEGAL SERVICES
War Memorial Building
Nashville, Tennessee 37243-0059**

August 27, 2010

M E M O R A N D U M

TO: Members of the One Hundred Sixth General Assembly

FROM: Joseph A. Barnes, Director

SUBJECT: Abstracts of the 2010 Public Chapters

Attached for your information and use are abstracts of the 2010 Public Chapters. This abstract document is also available under "Common" on "ray (G)" "Abstracts" "2010 Public Chapter Abstracts" as a "Read Only" document and on the General Assembly's Web site under "Legislation" "Publications."

Please keep in mind that the abstracts and summaries included herein are an overview of the legislation passed during the 2010 legislative session. These abstracts and summaries are not meant as a substitute for reading the actual text of the public chapter.

Please note the Appendix containing summaries of selected legislation.

JAB/lhb

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ABSTRACTS OF PUBLIC CHAPTERS

PASSED BY THE

106TH GENERAL ASSEMBLY,

FIRST EXTRAORDINARY SESSION

2010

- 1** Workers Compensation - As enacted, suspends the provisions of Acts 2008, Public Chapter 104, requiring sole proprietors and partners to carry workers' compensation insurance on themselves, until March 28, 2011. - Amends TCA Title 1, Chapter 3; Title 39, Chapter 11; Title 50; Title 56 and Chapter 1041 of the Public Acts of 2008. (SB 7001 *HB 7007) **{See Appendix "B"}**
- 2** Education - As enacted, enacts the "Tennessee First to the Top Act of 2010." - Amends TCA Title 49, Chapters 1, 2, 3 and 5.(SB 7005 *HB 7010) **{See Appendix "A"}**
- 3** Education - As enacted, enacts the "Complete College Tennessee Act of 2010." - Amends TCA Title 49, Chapter 7, Chapter 8, Chapter 9.(SB 7006 *HB 7008)
- 4** Appropriations - As enacted, makes appropriations for fiscal years 2009-2010 and 2010-2011. - (SB 7007 *HB 7006)

ABSTRACTS OF PUBLIC CHAPTERS
PASSED BY THE
ONE HUNDRED SIXTH GENERAL ASSEMBLY
2010

- 612** Election Laws - As enacted, delays the implementation of certain provisions of the Tennessee Voter Confidence Act; revises provisions governing "top race" and audits; revises other various provisions of the Act. - Amends TCA Title 2 and Chapter 1108 of the Public Acts of 2008. (*HB 0614 SB 0872)
- 613** Criminal Procedure - As enacted, allows district attorney general or assistant district attorney general to issue a subpoena for production of records related to Internet and computer use in cases of sexual exploitation of a minor. - Amends TCA Title 40, Chapter 17, Part 1. (*HB 1257 SB 1529)
- 614** Hotels and Restaurants - As enacted, prohibits any non-elected body of a municipality, county, or metropolitan government from enacting an ordinance or issuing a rule or regulation pertaining to the provision of food nutritional information or from otherwise regulating menus at food service establishments; extends primary responsibility for implementing and supervising any federally mandated requirement regarding the provision of food nutritional information at food service establishments to the department of health, if the federal action specifically authorizes state departments to enforce such requirements. - Amends TCA Section 68-14-303. (SB 1092 *HB 0950) {See Appendix "J"}
- 615** Animal Control - As enacted, requires that forfeited amounts from deposits paid to agencies to ensure that adopted dogs and cats are spayed or neutered be used to conduct programs to spay and neuter dogs and cats in the community where the agency is located instead of being used to conduct educational programs in support of spaying and neutering. - Amends TCA Title 44, Chapter 17, Part 5. (SB 0675 *HB 0539)
- 616** Taxes, Excise - As enacted, extends for additional six years to June 30, 2016, the temporary tax on bottles of soft drinks and barrels of beer to fund programs for the prevention and collection of litter. - Amends TCA Section 57-5-201(a)(2) and Section 67-4-402(b)(1). (*SB 2551 HB 2657)
- 617** Insurance, Motor Vehicles - As enacted, authorizes accident prevention courses that qualify for premium rate reductions for older drivers to be offered online, subject to the approval of the commissioner of commerce and insurance. - Amends TCA Section 56-7-1107. (*SB 2570 HB 3265)
- 618** Evidence - As enacted, clarifies that privileged communication between critical incident stress management team members and persons participating in crisis intervention does not apply if the communication indicates the existence of present child abuse or neglect of the individual, abuse of an adult, or family violence. - Amends TCA Section 24-1-204. (SB 2613 *HB 2576)
- 619** Development Districts - As enacted, revises membership of Four Lake Regional

industrial development authority to provide that in a county adopting a metropolitan form of government the mayor of such county must appoint a citizen member to serve on the authority. - Amends TCA Title 64, Chapter 5, Part 2. (*SB 2637 HB 2806)

- 620 Judges and Chancellors - As enacted, clarifies that a retired judge or a general sessions judge may administer the required oath to support the constitutions to an inferior court judge. - Amends TCA Title 17. (*HB 0699 SB 0983)
- 621 Handgun Permits - As enacted, authorizes person with handgun permit to carry handgun while big game bowhunting during the archery-only deer season. - Amends TCA Title 39 and Section 70-4-123. (*HB 0770 SB 0842)
- 622 Alcoholic Beverages - As enacted, allows Oak Ridge Playhouse to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102. (*HB 2571 SB 2617)
- 623 Alcoholic Beverages - As enacted, allows Roxy Regional Theatre in Clarksville to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102. (HB 2758 *SB 2492)
- 624 Statutes and Codification - As enacted, codifies the acts of the 2009 legislative session. - (*SB 2417 HB 2570)
- 625 Planning, Public - As enacted, changes reference from "regional planning commission" to "municipal planning commission" in regard to which entity's regulations have to have been met in order for the municipal planning secretary to be authorized to approve the subdividing of a tract into no more than two lots, without having to have approval of the entire commission. - Amends TCA Section 13-4-302(a). (*SB 2577 HB 2710)
- 626 Human Services, Dept. of - As enacted, authorizes the department to provide low-income energy assistance at any percentage of the federal income poverty level that is permitted by federal law. - Amends TCA Section 71-1-105. (*SB 3870 HB 3804)
- 627 Milk, Dairy Products - As enacted, enacts the "Dairy Farmers Prosperity Act." - Amends TCA Title 44 and Title 53. (*HB 1360 SB 1899)
- 628 Motor Vehicles - As enacted, authorizes certain municipalities to allow golf carts on certain public roads within their jurisdiction upon the adoption of an ordinance by a two-thirds vote. - Amends TCA Title 55, Chapter 1, Part 1 and Title 55, Chapter 8. (*HB 2069 SB 2101)
- 629 Firearms and Ammunition - As enacted, modifies the methods for disposing of certain confiscated weapons; requires that weapon be destroyed if it is inoperable or unsafe; otherwise allows for sale of weapon. - Amends TCA Section 39-17-1317. (*HB 2376 SB 2334)
- 630 Codes - As enacted, allows construction to begin on an educational building while awaiting final approval of the educational building plans from the state fire marshal, if approved by a local government that does certain self-enforcement of building codes, under certain circumstances. - Amends TCA Section 68-120-101. (*HB 0378 SB 0670)

- 631** Correction, Dept. of - As enacted, authorizes inmate relations coordinators to carry firearms to same extent as correctional officers. - Amends TCA Title 39, Chapter 17, Part 13.(*HB 0414 SB 0565)
- 632** Alcoholic Beverages - As enacted, classifies the Ryman Auditorium in Nashville as a "historic performing arts center" for purposes of consumption of alcoholic beverages on the premises. - Amends TCA Section 57-4-102.(*HB 3185 SB 3224)
- 633** Mental Illness - As enacted, provides that the regular employer of an employee will not be held liable for civil damages arising out of actions of an employee while the employee is serving as a mandatory prescreening agent. - Amends TCA Title 33, Chapter 6, Part 1.(*SB 1294 HB 2687)
- 634** Planning, Public - As enacted, authorizes planning commissions to promulgate provisions in its subdivision regulations, and recommend amendments to the zoning ordinance, for the establishment of review and approval powers for site plans and the establishment under zoning provisions for the review and approval of sustainable design and development of property. - Amends TCA Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3.(*SB 2578 HB 2711)
- 635** Motor Vehicles - As enacted, adds motorcycles to lemon laws regarding warranty protections. - Amends TCA Title 55, Chapter 24, Part 1.(SB 2649 *HB 2551)
- 636** Election Laws - As enacted, revises various provisions regarding voting by members of the military and citizens who are temporarily outside the U.S. and vacancies in the house of representatives. - Amends TCA Title 2, Chapter 6.(*SB 2681 HB 2799)
- 637** Physicians and Surgeons - As enacted, adds "Level III Office based surgery" to statute governing office-based surgery. - Amends TCA Title 63, Chapter 6.(*SB 2720 HB 2903)
- 638** Wills - As enacted, mandates that wills or trusts of decedents, who die after December 31, 2009, but before January 1, 2011, that reference certain exemptions shall be construed as referring to the federal estate and generation-skipping transfer tax laws. - Amends TCA Title 32 and Title 35.(*SB 3045 HB 3862)
- 639** Trusts - As enacted, increases from \$25,000 to \$150,000 the value of an institutional fund for which modification of a restriction on a gift instrument is permitted. - Amends TCA Section 35-10-206.(SB 3046 *HB 3047)
- 640** Traffic Safety - As enacted, authorizes bicycles to proceed through intersections with inoperative vehicle detection devices due to the weight of the bicycles. - Amends TCA Section 55-8-110.(*SB 3057 HB 3131)
- 641** Alcoholic Beverages - As enacted, allows Walking Horse Hotel in Bedford County to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102.(SB 3578 *HB 3006)
- 642** Health Care - As enacted, revises the list of licenses a Level 2 adult care home provider serving residents with traumatic brain injury or a resident manager employed by the provider must hold to include a "licensed rehabilitation professional or licensed mental health professional" instead of a "respiratory therapist." - Amends TCA Section 68-11-209.(*SB 3853 HB 3813)

- 643** Parks, Natural Areas Preservation - As enacted, revises the acreage and description of certain state natural areas; adds Hill Forest in Nashville. - Amends TCA Title 11, Chapter 14, Part 1.(*SB 3872 HB 3829)
- 644** Courts - As enacted, requires court clerk to provide, upon request, debtor with copy of judgment or agreement when judgment required to be paid through court and copy of receipt of amount paid in discharge of the judgment or agreement. - Amends TCA Title 18.(*HB 0736 SB 1122)
- 645** Naming and Designating - As enacted, names pumper/operations building at Tennessee Fire Service and Codes Enforcement Academy in Bedford County in honor of Lewis H. Baker. - (*HB 2500 SB 2534)
- 646** Sexual Offenses - As enacted, adds offense of aggravated rape of a child to list of offenses for which offender is required to be sentenced to community supervision for life. - Amends TCA Title 39, Chapter 13, Part 5.(*SB 2388 HB 2568)
- 647** Alcoholic Beverages - As enacted, authorizes the sale and consumption of alcoholic beverages on the premises of the Clayton Center for the Arts in Blount County. - Amends TCA Section 57-4-101; Section 57-4-102 and Section 57-4-301.(*SB 2496 HB 3243)
- 648** Planning, Public - As enacted, extends the requirement that any land use decisions made by a legislative body or planning commission after the adoption of a general regional plan be consistent with the plan to also apply to a board of zoning appeals when such board is exercising its powers on matters other than variances. - Amends TCA Section 13-3-304(b) and Section 13-4-202(b)(2)(B)(iii).(*SB 2576 HB 2709)
- 649** Alcoholic Beverages - As enacted, allows Majestic Theater in Chattanooga to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102.(SB 2731 *HB 2580)
- 650** Education, Higher - As enacted, prevents the Tennessee Independent Colleges and Universities Association and its member institutions from being held liable for breach of confidentiality of student data or records that are required to be submitted to THEC, if the breach was a result of the actions of the commission or its staff. - Amends TCA Title 49, Chapter 7.(SB 2793 *HB 2847)
- 651** Highway Signs - As enacted, "Warren G. Melton Memorial Bridge," S.R. 69A in Henry County. - (SB 2872 *HB 2753)
- 652** Appeal and Review - As enacted, directs that any appeal of a final judgment of a writ of error coram nobis is heard and determined by the court of criminal appeals instead of the supreme court. - Amends TCA Section 40-26-105.(*SB 2967 HB 3279)
- 653** Sunset Laws - As enacted, extends board of barber examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 3, Part 1.(*SB 2425 HB 2588)
- 654** Sunset Laws - As enacted, extends collection service board, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 20, Part 1.(*SB 2427 HB

2607)

- 655** Professions and Occupations - As enacted, authorizes an operator of a crematory facility or funeral establishment to dispose of unclaimed cremated human remains after 180 days have passed since the cremation occurred; provided, the operator maintains a record of the disposition for inspection during normal business hours. - Amends TCA Title 62.(*SB 2846 HB 3478)
- 656** Lottery, Charitable - As enacted, extends deadline for applications for 2010-2011 annual events to 15 days after March 25, 2010; requires secretary of state to submit third omnibus list for 2010-2011 annual events; extends authority to conduct events to certain nonprofit organizations in existence for at least five years. - Amends TCA Title 3, Chapter 17, Part 1.(HB 2669 *SB 2530)
- 657** Wills - As enacted, allows a court to modify the terms of a will in manner that is not contrary to the testator's probable intention in order to achieve the testator's tax objectives and the court may provide that the modification has retroactive effect. - Amends TCA Title 16, Chapter 3 and Title 32, Chapter 3.(HB 3036 *SB 2875)
- 658** Trusts - As enacted, enacts the Tennessee Community Property Trust Act of 2010. - Amends TCA Title 35.(HB 3863 *SB 3529)
- 659** Mental Illness - As enacted, authorizes a releasing facility and qualified mental health professional to consult with certain additional adult family members in developing an outpatient treatment plan. - Amends TCA Title 33.(*HB 1914 SB 2031)
- 660** Municipal Government - As enacted, authorizes municipalities that collect their own property taxes to accept partial payments of property taxes under certain conditions. - Amends TCA Title 6, Chapter 56, Part 1.(HB 2870 *SB 2792)
- 661** Firefighters - As enacted, exempts firefighters in Grainger and Claiborne counties and any municipality located within those counties from the minimum training requirements unless the governing body of a municipality or the county adopts a resolution to apply such requirements within their respective jurisdictional boundaries; makes eligibility to receive pay supplement for completing in-service training course contingent on meeting minimum training requirements. - Amends TCA Section 4-24-112.(*SB 2410 HB 2491)
- 662** Children's Services, Dept. of - As enacted, removes provision that requires a county to pay the state for the actual daily cost to the state for the length of stay of a child in state custody after such county exceeds 300 percent of the state average commitment rate for dependent and neglected children or delinquent children; requires department to provide report regarding commitments to state custody; authorizes collaborative planning process. - Amends TCA Title 37.(SB 2974 *HB 3020)
- 663** Controlled Substances - As enacted, revises reporting requirements concerning persons obtaining or attempting to obtain controlled substances. - Amends TCA Title 53, Chapter 11.(*HB 2581 SB 2561)
- 664** Alcoholic Beverages - As enacted, authorizes the Sewanee Inn to sell alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102.(*HB

3354 SB 3464)

- 665** Cemeteries - As enacted, revises certain requirements for appointing a receiver to manage a cemetery. - Amends TCA Section 46-1-312.(HB 3831 *SB 3861)
- 666** Licenses - As enacted, changes certain licensure requirements for motor vehicle sales, home inspectors, real estate brokers, and Class 4 and 5 liquid petroleum permit holders. - Amends TCA Title 55, Chapter 17, Part 1; Title 62, Chapter 6, Part 3; Title 62, Chapter 13, Part 3; Title 62, Chapter 43, Part 1 and Title 68, Chapter 135, Part 1.(HB 3849 *SB 3860)
- 667** Sunset Laws - As enacted, extends Great Smoky Mountain parks commission, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 19, Part 1.(SB 2420 *HB 2470)
- 668** Sunset Laws - As enacted, extends southeast interstate forest fire protection compact, June 30, 2017. - Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 4, Part 5.(SB 2422 *HB 2466)
- 669** Sunset Laws - As enacted, extends Tellico reservoir development agency, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 1, Part 7.(SB 2423 *HB 2464)
- 670** Sunset Laws - As enacted, extends board of cosmetology, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 4, Part 1.(*SB 2426 HB 2591)
- 671** Sunset Laws - As enacted, extends the Tennessee athletic commission, June 30, 2014. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 115, Part 1. (SB 2435 *HB 2463)
- 672** Sunset Laws - As enacted, extends compact for education, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 12, Part 2.(SB 2437 *HB 2472)
- 673** Sunset Laws - As enacted, extends southern regional education compact, June 30, 2014. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 12, Part 1. (SB 2438 *HB 2465)
- 674** Sunset Laws - As enacted, extends advisory board for rehabilitation centers, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 11, Part 7.(SB 2439 *HB 2473)
- 675** Sunset Laws - As enacted, extends the board of communication disorders and sciences, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 17, Part 1.(*SB 2442 HB 2590)
- 676** Sunset Laws - As enacted, extends the board of examiners in psychology, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 11, Part 1. (*SB 2446 HB 2596)
- 677** Sunset Laws - As enacted, extends the board of medical examiners' committee on physician assistants, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 19, Part 1.(*SB 2448 HB 2599)

- 678** Sunset Laws - As enacted, extends the board of optometry, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 8, Part 1.(*SB 2450 HB 2601)
- 679** Sunset Laws - As enacted, extends board of podiatric medical examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 3.(*SB 2452 HB 2604)
- 680** Sunset Laws - As enacted, extends the board of veterinary medical examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 12.(*SB 2454 HB 2608)
- 681** Sunset Laws - As enacted, extends interstate compact on mental health, June 30, 2016. - Amends TCA Title 4, Chapter 29, Part 2 and Title 33, Chapter 9, Part 2.(SB 2460 *HB 2469)
- 682** Sunset Laws - As enacted, extends sex offender treatment board, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 39, Chapter 13, Part 7.(SB 2466 *HB 2467)
- 683** Sunset Laws - As enacted, extends department of veterans' affairs, June 30, 2014. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 1.(SB 2470 *HB 2458)
- 684** Consumer Protection - As enacted, creates Class A misdemeanor, punishable by fine only, of intentionally concealing or misrepresenting the telephone number utilized by ADAD equipment; provides certain exceptions. - Amends TCA Title 47, Chapter 18, Part 15.(SB 2501 *HB 2503)
- 685** Campaigns and Campaign Finance - As enacted, requires candidate or political campaign committee that files appointment of treasurer form before January 16, instead of January 1, of the year in which the candidate or committee expects to be involved in an election to file a financial disclosure statement by January 31. - Amends TCA Section 2-10-105(c)(3).(*SB 2556 HB 2673)
- 686** Forest and Forest Products - As enacted, enacts the "Forest Product Fairness Act." - Amends TCA Title 11, Chapter 4 and Title 43.(*SB 2803 HB 2910)
- 687** Insurance, Health, Accident - As enacted, decreases from five to three years the length of time a small employer must purchase coverage through a health group cooperative. - Amends TCA Title 56, Chapter 7, Part 22.(SB 2836 *HB 2904)
- 688** Sunset Laws - As enacted, extends the board of ground water management, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 69, Chapter 10, Part 1.(SB 2950 *HB 2861)
- 689** Sunset Laws - As enacted, extends the water quality control board, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3.(SB 2952 *HB 2858)
- 690** Sunset Laws - As enacted, extends the petroleum underground storage tank board, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 215.(SB 2953 *HB 2857)
- 691** Sunset Laws - As enacted, extends the solid waste disposal control board, June 30,

2012. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211.(SB 2954 *HB 2856)
- 692** Child Abuse - As enacted, removes the district attorney general from the list of participants involved with the independent local advisory board for each county in which the multi-level response system, which is used to protect children from abuse, is operating. - Amends TCA Title 37, Chapter 5.(SB 3130 *HB 3021)
- 693** Bonds and Undertakings, Regulation of - As enacted, redefines "formula rate," with regard to bonds or other obligations issued by an energy acquisition corporation on or before June 30, 2012. - Amends TCA Title 7, Chapter 39 and Title 45, Chapter 5. (SB 3131 *HB 3204)
- 694** Public Contracts - As enacted, entitles private non-profit institutions of higher education chartered in Tennessee to purchase and contract for the purchase of any materials, supplies, equipment, and services through the department of general services to the same extent the state public colleges, universities, and technology centers may do so. - Amends TCA Title 12, Chapter 3, Part 1 and Section 49-7-127. (SB 3512 *HB 3618)
- 695** Alcoholic Beverages - As enacted, adds Pates Ford Marina in DeKalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102(24).(SB 3553 *HB 3453)
- 696** Education - As enacted, extends the pilot program for class size limits in career and technical education course in Davidson County for two years, through July 1, 2011; extends committee to study pilot program to January 1, 2012. - Amends TCA Title 49, Chapter 1, Part 1.(*SB 3713 HB 3733)
- 697** Securities - As enacted, makes various technical changes to the Tennessee Securities Act of 1980 concerning disciplinary hearings, securities registration depository systems, the IDEA system, and certain other subjects. - Amends TCA Title 48, Chapter 2.(*SB 3840 HB 3823)
- 698** Solid Waste Disposal - As enacted, authorizes Tennessee State University and Middle Tennessee State University to research and develop methods to address how to use the materials in solid waste as raw materials to create jobs, business, and compost. - Amends TCA Title 68, Chapter 211.(*HB 2216 SB 2180)
- 699** Sunset Laws - As enacted, extends Tennessee bureau of investigation, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 38, Chapter 6.(*HB 2457 SB 2468)
- 700** Sunset Laws - As enacted, removes Watkins Institute commission from sunset law. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 50, Part 7.(*HB 2461 SB 2469)
- 701** Planning, Public - As enacted, revises various provisions governing the organization, rules, appointment of director and staff, and disbursement of funds of municipal and regional planning commissions. - Amends TCA Section 13-4-102 and Section 13-3-103.(HB 2712 *SB 2580)

- 702** Death - As enacted, recognizes a person authorized to direct disposition of the remains of a person in the military in the event of death as indicated on a DD Form 93 completed by military personnel as the proper person to make the decision in certain circumstances. - Amends TCA Title 34, Chapter 6 and Title 68, Chapter 4. (*HB 2760 SB 2871)
- 703** Evidence - As enacted, requires that the law enforcement officer operating a device used to measure the speed of a motor vehicle be trained in the use of the device in order for the results of the use of the device to be admissible as proof of the speed of the motor vehicle or the conduct of the driver of the vehicle; requires that the law enforcement officer operating a device used to measure the alcohol content in a person's blood be trained by a recognized certification organization in the field as qualified to operate the device, in order for the results of the use of the device to be admissible as proof of the alcohol content in a person's blood or the intoxication of the person. - Amends TCA Title 24, Chapter 7; Title 38, Chapter 8 and Title 55, Chapter 8. (*HB 2769 SB 2860)
- 704** Barbers - As enacted, authorizes service animals, fish for decorative purposes, and birds in cages in barber shops; requires that cages be cleaned daily. - Amends TCA Title 62, Chapter 3, Part 1. (*HB 2823 SB 2843)
- 705** Sunset Laws - As enacted, extends the department of environment and conservation, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3, Part 1. (*HB 2859 SB 2951)
- 706** State Government - As enacted, encourages economic efficiency in state government through utilization of innovative approaches and methodologies. - Amends TCA Title 4. (HB 3007 *SB 3013)
- 707** Tobacco Master Settlement Agreement - As enacted, authorizes attorney general to disclose to cigarette manufacturers information concerning number of cigarettes sold with manufacturer's tax stamp affixed in certain circumstances. - Amends TCA Title 67, Chapter 4. (HB 3033 *SB 2923)
- 708** State Employees - As enacted, grants up to 12 administrative leave days in a calendar year for state employees who are TSEA board members to attend board meetings. - Amends TCA Title 8. (*HB 3075 SB 3204)
- 709** Physicians and Surgeons - As enacted, directs the department of health to encourage physicians to provide a publication dealing with umbilical cord blood banking to a woman by the end of her second trimester. - Amends TCA Section 68-32-105. (HB 3202 *SB 2743)
- 710** Public Records - As enacted, classifies certain documents submitted to the state in response to a request for proposal or other procurement method as confidential after completion of the evaluation period. - Amends TCA Section 10-7-504. (HB 3793 *SB 3904)
- 711** Taxes, Real Property - As enacted, defines "lawful charges" by a purchaser of property sold for taxes to include reasonable payments for maintenance and insurance for purposes of determining amount to be paid to redeem the property. - Amends TCA Title 67, Chapter 5. (*SB 2493 HB 3878)
- 712** Health, Dept. of - As enacted, requires department to implement a pilot program in

- certain counties that allows county clerks to issue certified copies of computer abstract birth certificates. - Amends TCA Section 68-3-206.(SB 2502 *HB 2504)
- 713** Insurance, Health, Accident - As enacted, implements and describes certain coverage limitations and benefits provided by the life and health insurance guaranty association. - Amends TCA Title 56, Chapter 12.(*SB 2863 HB 3002)
- 714** Mental Illness - As enacted, changes the hearing date for an inmate to be released from a mental retardation facility from 21 days to 21 business days of receipt of notice to the court; changes the notice from the court to the facility from 15 days to 15 business days. - Amends TCA Title 33, Chapter 5, Part 4; Title 39 and Title 40. (*SB 3026 HB 3222)
- 715** Education - As enacted, allows LEAs greater flexibility in extending the school day in order to offset days used for professional development or weather-related closings. - Amends TCA Section 49-6-3004.(*SB 3031 HB 3100)
- 716** Water - As enacted, changes word "tax" to "fee" in statement appearing on bill for storm water fees. - Amends TCA Section 68-221-1112.(SB 3295 *HB 2991)
- 717** Livestock - As enacted, deletes Tennessee Public Livestock Market Charter Act; revises other various provisions regarding livestock. - Amends TCA Title 44.(*SB 3877 HB 3799)
- 718** Motor Vehicles, Titling and Registration - As enacted, adds language "www.tnvacation.com" to all license plates, except special license plates, to promote state's official travel planning web site. - Amends TCA Title 55, Chapter 4, Part 1.(*SB 0619 HB 0920)
- 719** Optometry - As enacted, requires the board of optometry to list on its web site the organizations whose continuing education courses are deemed approved to meet the requirements of the board; specifies that courses by such organizations will be considered approved by the board and will be available to optometrists as a means of satisfying annual continuing education obligation, in addition to the continuing education courses that have been approved by the Council on Optometric Practitioner Education. - Amends TCA Title 63 and Title 68.(*SB 1553 HB 1656)
- 720** Sunset Laws - As enacted, extends board of funeral directors and embalmers, June 30, 2013; exempts the sale of funeral merchandise from the definition of funeral directing; clarifies that funeral directing is the making of arrangements to provide for funeral services or the making of financial arrangement for the rendering of funeral services. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5, Part 2.(*SB 2429 HB 2595)
- 721** Education - As enacted, prohibits schools and boards of education from separating multiple birth siblings into different classrooms solely due to such children being multiple birth siblings. - Amends TCA Section 49-6-3102.(*SB 2480 HB 3105)
- 722** Registers of Deeds - As enacted, authorizes revenue received by the Lincoln, Marshall, Maury, Rutherford, and Hamilton county registers' offices from data processing fees, above an amount necessary to purchase equipment and services, to be used for other purposes directly related to the official function of such office. - Amends TCA Section 8-21-1001.(SB 2607 *HB 2509)

- 723** Regional Authorities and Special Districts - As enacted, specifies method of determining the rate of interest on Build America Bonds issued on or before June 30, 2012, by convention center authorities. - Amends TCA Title 7, Chapter 89 and Title 47, Chapter 14. (*SB 2975 HB 3341)
- 724** Physicians and Surgeons - As enacted, authorizes the board of medical examiners to issue a St. Jude Children's Research Hospital Global Collaboration license. - Amends TCA Title 63, Chapter 6, Part 2. (SB 3359 *HB 2895)
- 725** Trusts - As enacted, updates the trust laws. - Amends TCA Title 35; Title 45, Chapter 2 and Title 66. (*SB 3522 HB 3861)
- 726** Insurance Companies, Agents, Brokers, Policies - As enacted, authorizes reimbursement to an insured for services provided by a licensed marital and family therapist or licensed professional counselor. - Amends TCA Section 56-7-2401. (SB 3579 *HB 2984)
- 727** Transportation, Dept. of - As enacted, authorizes commissioner to develop guidelines for municipal tourism/wayfinding informational signage programs in counties and in Chattanooga, Knoxville, Nashville and Memphis. - Amends TCA Title 4, Chapter 3. (*SB 3671 HB 3876)
- 728** Public Funds and Financing - As enacted, requires each local government participating in the local government investment pool to transfer electronically to the pool any funds the local government desires to be invested in the pool. - Amends TCA Title 9, Chapter 4, Part 7. (SB 3807 *HB 3327)
- 729** Private Protective Services - As enacted, requires automatic revocation of armed or unarmed security guards/officers convicted of certain offenses, if licensee does not request hearing; allows other disciplinary action after hearing. - Amends TCA Section 62-35-130. (*SB 3859 HB 3844)
- 730** Development Districts - As enacted, authorizes a development district board to borrow such funds as it deems necessary to fund the construction of a building for its own use, and to mortgage or otherwise pledge its real property or other assets to secure such a loan. - Amends TCA Title 13. (*HB 0187 SB 0135)
- 731** Education - As enacted, requires the office of education accountability within the office of the comptroller, in consultation with the department of education, to survey other states to determine how states use measures of parental involvement and student accountability in evaluating teacher performance; requires reporting and presenting of information. - Amends TCA Title 49. (*HB 2810 SB 2729)
- 732** Naming and Designating - As enacted, names campus at Senator Ben Atchley State Veterans Home in Knox County in honor of Gerald D. Clark. - (HB 2868 *SB 2780)
- 733** Elderly Persons - As enacted, extends missing senior citizen alert program to persons with dementia; revises various provisions of program. - Amends TCA Section 38-6-121. (*HB 2941 SB 2903)
- 734** Mental Retardation - As enacted, changes references in several titles of Tennessee Code Annotated from "mental retardation" to "intellectual disability." - Amends TCA Title 33; Title 39; Title 41 and Title 49. (*HB 3139 SB 3338)

- 735** Education - As enacted, allows LEAs to use reasonably obtainable information in determining whether a student who dropped out of school enrolled elsewhere; allows LEAs to include GEDs in calculating graduation rates for all purposes other than those in which such inclusion is prohibited by federal law. - Amends TCA Section 1-3-118 and Title 49.(*HB 3148 SB 3124)
- 736** Veterans - As enacted, allows a local education agency to issue a diploma to a student who failed to receive a diploma due to service in the Vietnam War. - Amends TCA Section 49-2-119.(HB 3168 *SB 3022)
- 737** Education - As enacted, requires survey of extended learning programs to be disseminated by the department of education to all LEAs so that successful programs may be replicated. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.(*HB 3415 SB 3320)
- 738** Children's Services, Dept. of - As enacted, requires that permanent educational records for students who have been in state custody be forwarded to the department when a department provider agency school ceases operations or when the department no longer contracts with the provider agency. - Amends TCA Title 37 and Title 49.(HB 3454 *SB 3225)
- 739** Taxes, Real Property - As enacted, removes the exceptions to the requirement that when property has been assessed for property taxation in a county for at least five years, the state board of equalization may not rule that the property is located in a different county; and authorizes the board to redress double assessment in these circumstances. - Amends TCA Section 5-2-115.(*HB 3609 SB 3684)
- 740** Local Government, General - As enacted, removes the requirement that the comptroller devise standard procedures to assist the county legislative body in the disposition of funds that are appropriated by the body for the financial aid of any nonprofit charitable organization, any chamber of commerce exempt from taxation, or any nonprofit civic organization, as authorized in present law. - Amends TCA Section 5-9-109.(*HB 3610 SB 3683)
- 741** Business Organizations - As enacted, requires that applications and certain documents filed by certain business organizations with secretary of state be accompanied by a confirmation of good standing, a tax clearance for termination or withdrawal, or another similar communication. - Amends TCA Title 48 and Title 61. (*HB 3643 SB 3817)
- 742** Business Organizations - As enacted, authorizes anyone to apply to the secretary of state to furnish a certificate of existence for a domestic LLC, LLP, or LP or a certificate of authorization for a foreign LLC, LLP, or LP. - Amends TCA Title 48 and Title 61.(*HB 3644 SB 3814)
- 743** Business Organizations - As enacted, revises provisions regarding distinguishable names for corporations and partnerships and application for use of a name that is not distinguishable. - Amends TCA Title 48 and Title 61.(*HB 3645 SB 3815)
- 744** Alcoholic Beverages - As enacted, authorizes The Company Store and Maggie's Landing in DeKalb County to apply for licensure to sell alcoholic beverages for on-premises consumption as premier type tourist resorts. - Amends TCA Section 57-4-102.(*HB 3646 SB 3552)

- 745** Interstate Compacts - As enacted, clarifies that the governor may enter into civil defense and disaster compacts with the "states" instead of the "contiguous states"; and renames the emergency management assistance compact that the governor may enter into under present law from the "southern regional emergency management assistance compact" to the "emergency management assistance compact." - Amends TCA Section 58-2-401 and Section 58-2-403.(HB 3810 *SB 3852)
- 746** Veterans - As enacted, revises certain factors for determining veterans' preference points in civil service system. - Amends TCA Section 8-30-306.(HB 3819 *SB 3857)
- 747** Insurance Companies, Agents, Brokers, Policies - As enacted, removes language requiring that the interstate insurance product regulation commission must terminate on June 30, 2009. - Amends TCA Title 56, Chapter 58, Part 1.(HB 3830 *SB 3863)
- 748** Civil Service - As enacted, removes the June 30, 2010, termination date for revisions to civil service provisions enacted by Chapter 1 of the Public Acts of 2009 to deal with a proposed reduction in workforce. - Amends TCA Title 8, Chapter 30, Part 4.(HB 3836 *SB 3848)
- 749** Contractors - As enacted, removes lien authorization for unlicensed residential or home improvement contractor if work is performed in a jurisdiction which requires such persons to be licensed. - Amends TCA Title 39; Title 62, Chapter 6 and Title 66, Chapter 11.(*SB 2645 HB 2767)
- 750** Sexual Offenders - As enacted, revises requirements for registered sex offender to attend conference at school or similar place as parent and to drop off or pick up child at school. - Amends TCA Section 40-39-211.(*SB 2988 HB 3263)
- 751** Sewage - As enacted, revises the prerequisites for and terms of loans to local governments operating a waste water facility. - Amends TCA Title 68, Chapter 221, Part 10 and Title 68, Chapter 221, Part 12.(*SB 3172 HB 3555)
- 752** Tort Liability and Reform - As enacted, removes provision that would repeal the inclusion of certain nonprofit public benefit corporations as a "governmental entity" in Shelby County. - Amends TCA Title 29, Chapter 20.(SB 3296 *HB 3462)
- 753** Highway Patrol - As enacted, authorizes a highway patrol member that retires involuntarily after 20 years of honorable service to keep his badge and weapon and to receive a retired commissioned card. - Amends TCA Section 4-7-110.(*SB 3435 HB 3911)
- 754** Indigents - As enacted, requires that at the end of the trial court proceeding, the clerk pay any money collected from an indigent criminal defendant to the administrative office of the courts rather than directly to the defendant's attorney of record; provides for certain excess funds being paid to appointed attorney. - Amends TCA Title 40, Chapter 14.(*HB 2690 SB 2966)
- 755** Professions and Occupations - As enacted, clarifies and reiterates current law concerning what duties may be performed by general contractors and architects and engineers performing construction management agent or advisor services for the construction of school buildings or additions to existing buildings. - Amends

TCA Section 49-2-203.(*HB 2754 SB 3070)

- 756** Unclaimed Property - As enacted, establishes that boating regulation laws will govern unclaimed or abandoned boats and vessels when in conflict with the Uniform Disposition of Unclaimed Property Act. - Amends TCA Title 66, Chapter 29. (*HB 2981 SB 3064)
- 757** Judges and Chancellors - As enacted, requires that a court, when appointing a lawyer to sit as a special judge for a general sessions judge or a juvenile court judge, state on the record the limitations of such special judge. - Amends TCA Section 16-15-209.(*HB 3586 SB 3527)
- 758** General Assembly - As enacted, clarifies what a private act is for purposes of action required by the secretary of state; clarifies that a private act amends county or city charters, not the general law. - Amends TCA Title 8.(HB 3938 *SB 3270)
- 759** Teachers, Principals and School Personnel - As enacted, revises provisions governing approval required for teachers to take personal leave. - Amends TCA Title 49, Chapter 5, Part 7.(*SB 2630 HB 3107)
- 760** Adoption - As enacted, clarifies that any spouse of a relative is also a legal relative or related. - Amends TCA Section 36-1-102.(*SB 3004 HB 3426)
- 761** Garnishments and Executions - As enacted, authorizes courts to void a summons for improper service if the service of the summons is made upon an employee of the garnishee rather than the garnishee, and such employee is also the judgment debtor. - Amends TCA Title 26.(*SB 3030 HB 3103)
- 762** Local Education Agency - As enacted, urges LEAs to consider the needs of working parents in scheduling parent-teacher meetings. - Amends TCA Title 49.(SB 3276 *HB 3411)
- 763** Alcoholic Beverages - As enacted, authorizes sales of alcoholic beverages on charter boat departing certain premier type tourist resort in Jefferson County; revises geographic requirement for a facility to qualify as premier type tourist resort in Jefferson County; also adds Pinecrest Golf Course in Gibson County. - Amends TCA Title 57, Chapter 4, Part 1.(SB 3339 *HB 3344)
- 764** Public Health - As enacted, honors the memory of the late Connie Hall Givens by renaming, in her honor, the Coordinated School Health Improvement Act. - Amends TCA Title 49, Chapter 1, Part 10.(SB 3397 *HB 3494)
- 765** Human Rights - As enacted, requires each state governmental entity subject to the requirements of Title VI of the federal Civil Rights Act to submit annual Title VI compliance reports and implementation plan updates to "the human rights commission" instead of "the department of audit." - Amends TCA Section 4-21-901. (SB 3408 *HB 3521)
- 766** Dentists and Dentistry - As enacted, clarifies duties of health departments that provide certain dental services "to the extent possible within budget limitations". - Amends TCA Title 68, Chapter 1.(HB 1871 *SB 0806)
- 767** Pharmacy, Pharmacists - As enacted, allows for a prescription order from a

prescriber who has died being dispensed during a limited period of time after the prescriber's death in certain situations. - Amends TCA Title 53, Chapter 10 and Title 63.(HB 2585 *SB 2541)

- 768** Public Contracts - As enacted, requires information concerning those bidding for masonry contractor work be included on the outside of the envelope containing a bid, in addition to those contractors currently required to be listed. - Amends TCA Section 62-6-119.(*HB 2794 SB 2722)
- 769** Psychologists - As enacted, authorizes supervision of psychological examiners by senior psychological examiners. - Amends TCA Section 63-11-202 and Section 63-11-206.(HB 3045 *SB 2956)
- 770** Health, Dept. of - As enacted, requires the board to adopt rules requiring out-of-state home medical equipment service providers to maintain an office within the state. - Amends TCA Title 68, Chapter 11, Part 2.(HB 3439 *SB 2718)
- 771** Alcoholic Beverages - As enacted, adds Historic Rugby in Morgan County to the definition of premier type tourist resort for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102.(*HB 3469 SB 3545)
- 772** State Employees - As enacted, directs that employees of the Board of Regents shall not elect whether to receive longevity pay by separate check until July 1, 2013. - Amends TCA Section 8-23-206.(*HB 3638 SB 3547)
- 773** Medical Occupations - As enacted, clarifies that a person who is subject to regulation under the Emergency Medical Services Act may be subject to discipline for violating, or attempting to violate, a criminal statute in "any" state or Canada, not just this state, if the statute involves moral turpitude or reflects upon the person's ability to fulfill such person's responsibilities; removes \$25.00 limitation on reinstatement fees. - Amends TCA Title 68, Chapter 140, Part 5.(*SB 3866 HB 3833)
- 779** Consumer Protection - As enacted, establishes violations of the Consumer Protection Act concerning covered file sharing programs. - Amends TCA Title 47, Chapter 18, Part 1.(SB 3407 *HB 3523)
- 774** Telecommunications - As enacted, imposes a statewide prepaid wireless emergency telephone service charge of 53 cents on each retail transaction. - Amends TCA Title 7, Chapter 86, Part 1.(*SB 2497 HB 3533)
- 775** Animals and Animal Cruelty - As enacted, provides immunity from civil liability for individuals, veterinarians, and animal control officers that provide, render, or obtain emergency care for non-livestock animals. - Amends TCA Title 39, Chapter 14, Part 2 and Title 44.(*SB 2796 HB 3749)
- 776** TennCare - As enacted, revises provisions governing state's subrogation interests. - Amends TCA Title 71, Chapter 5, Part 1.(*SB 3087 HB 3135)
- 777** Pensions and Retirement Benefits - As enacted, extends membership in the Tennessee consolidated retirement system to all employees instead of just the administrative employees of certain participating employers; and makes other revisions regarding the retirement system and retirement benefits under the system.

- Amends TCA Sections 8-34-101(46)(B), 8-34-206(d), 8-34-321.(SB 3138 *HB 3088)
- 778** Vital Records - As enacted, establishes a certificate of birth resulting in stillbirth. - Amends TCA Title 68, Chapter 3.(SB 3189 *HB 3286)
- 780** Insurance Companies, Agents, Brokers, Policies - As enacted, authorizes commissioner of commerce and insurance to waive requirement that foreign insurance company must have been organized and actively engaged in the insurance business in the state of its incorporation for a period of three years prior to the date of its application in order to be admitted and authorized to do business in this state, if the commissioner determines waiver is in the public interest. - Amends TCA Title 56.(HB 1415 *SB 1396)
- 781** Unemployment Compensation - As enacted, prevents reduction or termination of unemployment benefits due to claimant's enrollment in an institution of higher education. - Amends TCA Title 50, Chapter 7.(HB 2092 *SB 1491)
- 782** Highway Signs - As enacted, "Arthur Lorange Road," segment of S.R. 287 in Warren County. - (*HB 2511 SB 2609)
- 783** Highway Signs - As enacted, "Charles Ulysses Boren Memorial Bridge," S.R. 56 in Warren County. - (*HB 2512 SB 2610)
- 784** Public Officials - As enacted, requires a local agency that receives information from the toll-free hotline that receives allegations of fraud, waste, or abuse of public funds to investigate and remedy any illegal, improper, or wasteful activity noted in the information to the same extent that a state agency or community grant agency is required to do so under present law. - Amends TCA Title 8, Chapter 4 and Title 8, Chapter 19.(*HB 3611 SB 3682)
- 785** Highway Signs - As enacted, "Brenard Richardson Memorial Bridge," S.R. 373 in Marshall County. - (HB 2755 *SB 2513)
- 786** Highway Signs - As enacted, "Alex Allen Memorial Bridge," S.R. 272 in Marshall County. - (HB 2756 *SB 2557)
- 787** Bankruptcy - As enacted, increases the aggregate amount that a debtor can claim for a personal property exemption from \$4,000 to \$10,000. - Amends TCA Title 26. (*HB 3203 SB 3203) **{See Appendix "J"}**
- 788** Alcoholic Beverages - As enacted, authorizes voters to approve the issuance of liquor retailer's licenses to manufacturers of products containing alcohol by referendum as an alternative to holding a special local option election; revises provisions governing the serving of samples by a retail licensee manufacturer or distiller. - Amends TCA Title 57, Chapter 2 and Title 57, Chapter 3, Part 2.(*HB 3522 SB 3610)
- 789** Day Care - As enacted, revises provisions governing guidelines and benchmarks for and visits to child care agencies that receive subsidy funds. - Amends TCA Section 71-3-502.(*SB 3867 HB 3826)
- 790** Abortion - As enacted, enacts the "Freedom From Coercion Act." - Amends TCA

Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2; Title 63 and Title 68.(SB 3812 *HB 3301)

- 791** Unclaimed Property - As enacted, authorizes the treasurer to set a minimum dollar value for unclaimed property paid or delivered to the treasurer that requires the mailing of a notice instead of requiring that the minimum value be \$50.00; and authorizes the treasurer to claim unclaimed property from any other state on behalf of any Tennessee state department, agency, board, commission, or institution, including a public institution of higher education. - Amends TCA Title 66, Chapter 29, Part 1.(SB 3808 *HB 3326)
- 792** Workers Compensation - As enacted, revises provisions governing rental and assignment of network rights to expand the information required to be included in an explanation of benefits sent to medical provider and gives the provisions the short title the "Rental and Assignment of PPO Network Rights". - Amends TCA Title 50, Chapter 6, Part 2.(*SB 3162 HB 3948)
- 793** Firearms and Ammunition - As enacted, allows person without handgun carry permit to transport rifle or shotgun in or on a privately-owned motor vehicle provided there is no ammunition in the chamber or cylinder and no loaded clip or magazine in the weapon or in close proximity to the weapon or any person. - Amends TCA Title 39, Chapter 17, Part 13.(*SB 2390 HB 2567)
- 794** State Employees - As enacted, permits any state employee to obtain employment with another employer while working as a state employee so long as there are no conflicts with the employment schedule as a state employee. - Amends TCA Title 8, Chapter 30.(SB 2146 *HB 2101)
- 795** Pharmacy, Pharmacists - As enacted, requires that all written, printed, or computer-generated orders for a Schedule II controlled substance prepared by a podiatrist, dentist, physician, surgeon, optometrist, osteopathic physician, advanced practice nurse, or physician assistant be written legibly, printed, or computer-generated as a separate prescription order; requires on handwritten prescriptions that quantity be written in letters or numbers instead of both letters and numbers. - Amends TCA Title 63.(SB 1790 *HB 0568)
- 796** Correctional Programs - As enacted, allows lease of land or facilities to be more than five years if such lease is entered into by TRICOR with a private party under a P.I.E. program or service program in connection with a contract for employment of inmates. - Amends TCA Title 41, Chapter 6, Part 2.(*HB 2484 SB 2509)
- 797** Public Records - As enacted, revises the manner in which and by whom military discharge records may be viewed. - Amends TCA Title 8, Chapter 13 and Section 10-7-513.(*HB 2670 SB 2667)
- 798** Teachers, Principals and School Personnel - As enacted, changes the date by which teachers must be notified in writing of their dismissal or failure of reelection for the next school year from April 15 to May 15. - Amends TCA Title 49, Chapter 5, Part 4.(*HB 2772 SB 3067)
- 799** Bail, Bail Bonds - As enacted, authorizes a bail bondsman to return a defendant to the jurisdiction for which the bail bond is obligated for the defendant's appearance, provided that the bail bondsman is liable for the expenses of returning the

defendant and the defendant is located within this state. - Amends TCA Title 40, Chapter 11, Part 1.(HB 2801 *SB 2654)

- 800** Industrial Development - As enacted, revises definition of "project" in industrial development corporation statute and authorizes certain assistance, including certain revenues, in cases involving a central business improvement district and an industrial development corporation. - Amends TCA Title 7, Chapter 53.(*HB 3044 SB 3050)
- 801** Public Contracts - As enacted, revises the current requirements concerning information that must be contained on the outside of the envelope containing the bid to also require such information be included in an electronic bid; removes criminal penalty for noncompliance and instead authorizes civil penalty of up to \$5,000. - Amends TCA Section 62-6-119.(*HB 3158 SB 3607)
- 802** Aircraft and Airports - As enacted, authorizes creation of regional airport authority by three or more municipalities and counties and at least one political subdivision of another state. - Amends TCA Title 42, Chapter 3, Part 1.(*HB 3309 SB 3399)
- 803** Juvenile Offenders - As enacted, requires an official from the facility or the department of children's services to notify chief law enforcement officer of the county of an escape from a secure detention or correctional facility by a juvenile who is alleged or adjudicated delinquent for an offense that would be a felony if committed by an adult. - Amends TCA Title 37, Chapter 1.(*HB 3420 SB 3471)
- 804** Veterinarians - As enacted, expands list of animal related practices that are exempt from veterinarian licensure requirements. - Amends TCA Title 63, Chapter 12.(HB 3491 *SB 3060)
- 805** Local Inmates - As enacted, urges the comptroller to study the number of inmates in county jails who have been incarcerated for offenses for which they have not been convicted. - Amends TCA Title 8 and Title 41.(*SB 2827 HB 2915)
- 806** Pensions and Retirement Benefits - As enacted, authorizes local government entity eligible to participate in the Tennessee consolidated retirement system to elect to participate in any deferred compensation program for state employees, subject to approval of the chair of the retirement system. - Amends TCA Title 8, Chapter 25, Parts 1 and 3.(SB 3140 *HB 3090)
- 807** Veterans - As enacted, requires the division of parks and recreation to designate one day per year during which access to and use of all state parks, including but not limited to campgrounds and golf courses, is free of charge for all veterans. - Amends TCA Title 8; Title 49; Title 58 and Title 71.(*SB 3212 HB 3447)
- 808** Disabled Persons - As enacted, creates task force to review regulations governing residential and day provider agencies contracted by division of intellectual disabilities services. - Amends TCA Title 33, Chapter 5, Part 1.(SB 3514 *HB 2987)
- 809** Remedies and Special Proceedings - As enacted, allows general sessions judge to postpone trial for forcible detainer cases longer than 15 days upon agreement of the parties if no civil court is being conducted. - Amends TCA Section 29-18-118.(*SB 3726 HB 3954)

- 810** Correction, Dept. of - As enacted, prohibits disciplinary action or discharge of an employee of the department of correction based solely upon the employee's refusal to take a polygraph examination or for failure of a polygraph examination. - Amends TCA Section 41-1-102. (*HB 1578 SB 1984)
- 811** Professions and Occupations - As enacted, limits amount of on-line courses dental hygienists may use to meet biennial continuing education requirement to 50 percent. - Amends TCA Section 63-5-107. (*HB 2634 SB 2646)
- 812** Highway Signs - As enacted, "Chief Kenny Feathers Bridge," Bennett's Creek on U.S. 64 in Fayette County. - (*HB 2705 SB 2713)
- 813** State Inmates - As enacted, urges the commissioner of correction to report to the select oversight committee on corrections concerning a study of inmates incarcerated by the department who are nonviolent offenders and age 65 and older. - Amends TCA Title 41. (HB 2913 *SB 2825)
- 814** Highway Signs - As enacted, "Tallent Bridge," U.S. Highway 27 in Rhea County. - (*HB 3023 SB 3516)
- 815** Highway Signs - As enacted, "Emmie Robertson Memorial Highway," segment of S.R. 242 in Lawrence County. - (HB 3500 *SB 2755)
- 816** Animals and Animal Cruelty - As enacted, creates a Class A misdemeanor offense for a person who was previously convicted of animal cruelty if such person subsequently violates an animal custody restriction imposed by the sentencing court. - Amends TCA Section 39-14-202. (HB 3913 *SB 3540)
- 817** Guardianship - As enacted, enacts the "Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act." - Amends TCA Title 34 and Title 71. (*SB 0444 HB 0608)
- 818** Sunset Laws - As enacted, extends the board of chiropractic examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 4, Part 1. (*SB 2441 HB 2589)
- 819** Education - As enacted, enacts the "Tanner Lee Jameson Act," which requires that when a school receives its first AED, the school must place the AED in the gymnasium or, if there is no gymnasium, a readily accessible location in an area used for physical education or activity. - Amends TCA Title 49 and Title 68, Chapter 140, Part 7. (*SB 2505 HB 3250)
- 820** Children's Services, Dept. of - As enacted, specifies that a court's placement recommendation regarding a child in the custody of the department shall be based on a preponderance of the evidence. - Amends TCA Section 37-1-129. (SB 2584 *HB 2627)
- 821** Children - As enacted, requires a court to find that the department of children's services or licensed child placing agency has made reasonable efforts to place a child for adoption and that it is in the best interest of the child before awarding guardianship to a permanent guardian. - Amends TCA Section 36-1-113. (SB 2585 *HB 2628)

- 822** Highway Signs - As enacted, "Luther Masingill Parkway," segment of Broad Street (U.S. 11 & 72) in Chattanooga. - (SB 2643 *HB 2715)
- 823** State Inmates - As enacted, urges the comptroller to study the number of state inmates who have been incarcerated for crimes for which they have not been convicted. - Amends TCA Title 8 and Title 41.(*SB 2826 HB 2914)
- 824** Fiscal Review Committee - As enacted, requires fiscal review committee staff to compare actual fiscal impact of at least five public chapters to the fiscal impact as stated in the fiscal note and present such review to fiscal review committee each year; requires written summary be submitted to general assembly members. - Amends TCA Title 3.(SB 2859 *HB 2863)
- 825** Utilities, Utility Districts - As enacted, changes the reporting deadline of the Tennessee Advisory Commission on Intergovernmental Relations to the general assembly on the effectiveness of Tennessee's current underground utility damage prevention program from January 29, 2010, to January 17, 2011. - Amends Chapter 470 of the Public Acts of 2009.(SB 2945 *HB 2970)
- 826** State Employees - As enacted, requires all state employees who are supervisory personnel to be physically present in Tennessee while supervising employees working in this state, unless business reasons require out-of-state travel. - Amends TCA Title 8, Chapter 30, Part 2.(SB 3590 *HB 3389)
- 827** Civil Procedure - As enacted, revises method of serving summons for forcible entry and detainer warrants; allows sheriff to post copy of warrant on premises after three failed attempts of personal service of process within six days instead of 10 days from required date of appearance. - Amends TCA Title 29, Chapter 18.(*SB 3725 HB 3955)
- 828** Public Health - As enacted, enacts the "Kristen K. Hunter Infection Control Act." - Amends TCA Title 68 and Title 71.(*SB 3828 HB 3814)
- 829** Securities - As enacted, defines "investment-related" under the Tennessee Securities Act; authorizes a civil penalty for violations of Act; revises other various provisions of Act. - Amends TCA Title 48, Chapter 2, Part 1.(*SB 3841 HB 3824)
- 830** Sunset Laws - As enacted, extends Tennessee heritage conservation trust fund board of trustees, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7.(*HB 2479 SB 2955)
- 831** Guardianship - As enacted, removes brokerage firms from definition of "financial institution" for purposes of determining whether to require a conservatorship or guardianship bond and whether to approve certain investments. - Amends TCA Title 34, Chapter 1, Part 1.(HB 2668 *SB 2552)
- 832** Uniform Laws - As enacted, enacts the "Uniform Child Abduction Prevention Act." - Amends TCA Title 36.(*HB 2995 SB 3065)
- 833** Mental Illness - As enacted, specifies that drug court grant funds may be used to fund mental health services for drug court treatment participants, in addition to funding substance abuse treatment and other direct services for drug court treatment participants. - Amends TCA Title 16, Chapter 22, Part 1 and Title 33.(HB 3022 *SB 2867)

- 834** Property - As enacted, requires that notice of the right to foreclose be sent to debtor prior to foreclosure; requires that specific information be included in notice. - Amends TCA Titles 35 and 45.(*HB 3588 SB 3519)
- 835** Alcoholic Beverages - As enacted, authorizes certain commercially operated recreational facilities in Blount County containing specified characteristics to serve alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102.(*HB 3635 SB 3597)
- 836** Education - As enacted, requires department of education, office of early learning to disseminate its annual report on the voluntary pre-K program to the public via its web site. - Amends TCA Title 49, Chapter 3 and Title 49, Chapter 6, Part 1.(HB 3737 *SB 2482)
- 837** Public Records - As enacted, makes confidential certain information that is a trade secret under the Uniform Trade Secrets Act, as determined by the commissioner of commerce and insurance in the commissioner's sole discretion. - Amends TCA Title 56.(SB 0223 *HB 0148)
- 838** Lottery, Scholarships and Programs - As enacted, requires the commissioner of education to file the annual report on the lottery for education after school program's system of competitive grants and technical assistance with the chairs of the house and senate education committees. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 1; Title 49, Chapter 3 and Title 49, Chapter 6.(*SB 0980 HB 1870)
- 839** Lottery, Scholarships and Programs - As enacted, requires THEC to study the General Assembly Merit Scholarship program and include results of such study in its annual lottery scholarship report. - Amends TCA Title 49, Chapter 4, Part 9. (*SB 1317 HB 1862)
- 840** Solid Waste Disposal - As enacted, enacts the "Mercury Product Disposal Control Act." - Amends TCA Title 68, Chapter 211.(*SB 2403 HB 3218)
- 841** Sunset Laws - As enacted, extends the board of dentistry, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 5, Part 1.(*SB 2444 HB 2621)
- 842** Foster Care - As enacted, makes certain changes regarding permanency plans for foster care, including giving parents the right to attend and participate in foster care permanency plan reviews and changing the suggested membership of foster care review boards. - Amends TCA Title 36, Chapter 1 and Title 37, Chapter 2.(SB 2587 *HB 2630)
- 843** Parks, Natural Areas Preservation - As enacted, allows any park ranger, ranger naturalist, park manager, or any other similar employee who has used an equine to carry out such person's duties as a law enforcement officer or employee of the division of parks and recreation to take possession of such animal upon the division's determination to retire the equine. - Amends TCA Title 11; Title 12; Title 38; Title 39 and Title 44.(SB 2624 *HB 2519)
- 844** Education - As enacted, requires state board of education and commissioner of labor and workforce development to study appropriately integrating geographic information systems technology in curricula for career and technical education and report to the house and senate education committees by March 1, 2011. - Amends

TCA Title 4; Title 49 and Title 50.(SB 2767 *HB 2641)

- 845** Courts, Circuit - As enacted, authorizes circuit court judges in Davidson County having domestic or probate jurisdiction to appoint one or more persons to act as masters. - Amends TCA Section 17-2-123.(*SB 2813 HB 3391)
- 846** Gas, Petroleum Products, Volatile Oils - As enacted, specifies that TRA has no power in regard to standards for carbon dioxide transported via interstate pipeline that is subject to the federal Natural Gas Pipeline Safety Act. - Amends TCA Title 65, Chapter 28, Part 1.(*SB 2912 HB 3046)
- 847** Municipal Government - As enacted, grants municipalities exclusive right to use their names and symbols. - Amends TCA Title 6, Chapter 54, Part 1.(SB 2933 *HB 2842)
- 848** Insurance Companies, Agents, Brokers, Policies - As enacted, permits association captive insurance companies to insure obligations under certain federal legislation that provides compensation and benefits to workers for job-related injuries, and further allows association captive insurance companies to hold any interest in qualified headquarters property. - Amends TCA Title 50 and Title 56.(*SB 2977 HB 3299)
- 849** Adoption - As enacted, abolishes the requirement to run a publication for an unknown father when there is no legal father at the time the adoption is filed, under certain circumstances. - Amends TCA Section 36-1-117.(*SB 2999 HB 3425)
- 850** Safety - As enacted, enacts "Katie Beth's Law," which requires pool alarms in certain circumstances. - Amends TCA Title 47 and Title 68, Chapter 14.(*SB 3019 HB 3156) **{See Appendix "J"}**
- 851** Medical Occupations - As enacted, revises provisions governing restrictions on the right of an employed or contracted healthcare provider to practice the healthcare provider's profession upon termination or conclusion of the employment or contractual relationship. - Amends TCA Title 63.(SB 3154 *HB 3177)
- 852** Education, Higher - As enacted, requires THEC to report the annual student tuition subsidy applicable to students at each public institution of higher education to the house and senate education and finance, ways and means committees. - Amends TCA Title 49.(SB 3266 *HB 3410)
- 853** Fireworks - As enacted, removes the present requirement that the law enforcement officials of the county or municipality must also sign the permits for the public fireworks display along with the fire department; requires that a permittee send a written notice to the chief supervisory law enforcement official for the county or municipality where the fireworks display will be held, which states the date, time, and location of the public display. - Amends TCA Section 68-104-211.(*SB 3277 HB 3641)
- 854** Education, Curriculum - As enacted, requires the commissioner of education to encourage LEAP programs to provide extended learning that is complementary to school curricula. - Amends TCA Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 6 and Title 49, Chapter 1.(SB 3321 *HB 3416)

- 855** Education, Curriculum - As enacted, urges civics class be taught in high school. - Amends TCA Title 49, Chapter 6.(*SB 3432 HB 3762)
- 856** Education - As enacted, allows any school resource officer who witnesses an offense by a student receiving special education to take the student into custody. - Amends TCA Title 49, Chapter 10, Part 13.(SB 3583 *HB 3161)
- 857** Environment and Conservation, Department of - As enacted, revises requirements for the department to formulate a master plan for state parks. - Amends TCA Title 11, Chapter 3, Part 1.(*SB 3666 HB 3909)
- 858** Workers Compensation - As enacted, establishes procedure for handling disputes involving future medicals in a workers compensation case after judgment or settlement; extends to workers compensation specialists who hear requests for assistance to provide medical coverage that has been denied by the employer the same authority as trial judges to order attorney fees and reasonable costs, including reasonable and necessary court reporter expenses and expert witness fees for depositions, when conducting a hearing on such an issue. - Amends TCA Title 50, Chapter 6.(SB 3731 *HB 3582)
- 859** Motor Vehicles - As enacted, revises provisions governing the maximum weight per axle or group of axles allowed on public highways. - Amends TCA Section 55-7-203.(*SB 3871 HB 3828)
- 860** Juvenile Offenders - As enacted, adds aggravated rape of a child to the list of offenses for which a juvenile may be transferred from juvenile court to adult court. - Amends TCA Title 37; Title 39 and Title 40.(*HB 2438 SB 2395)
- 861** Sentencing - As enacted, provides that an adjudication or finding by a juvenile court that a defendant committed an act as a juvenile that constitutes a Class A or Class B felony if committed by an adult counts as a "prior conviction" for purposes of determining the appropriate sentencing range for such defendant. - Amends TCA Title 40, Chapter 35.(*HB 2626 SB 3314)
- 862** Medical Occupations - As enacted, enacts the Colby Stansberry Act to regulate the release of medical or hospital records, photographs and videos. - Amends TCA Title 63, Chapter 2, Part 1 and Title 68, Chapter 11, Part 15.(HB 2651 *SB 2563)
- 863** Highway Signs - As enacted, "Captain Arthur Williamson Parkway," segment of S.R. 76 in Fayette County. - (*HB 2706 SB 2714)
- 864** Highway Signs - As enacted, "Southport Community Bridge," S.R. 245 in Maury County. - (*HB 2931 SB 3575)
- 865** Medical Occupations - As enacted, revises fees for medical records provided by certain health care providers. - Amends TCA Title 63, Chapter 2, Part 1.(HB 3049 *SB 2959)
- 866** Bail, Bail Bonds - As enacted, mandates, rather than allows, release of surety's liability if detainer request is refused or if detaining authority releases principal upon the detainer's filing. - Amends TCA Section 40-11-201.(HB 3138 *SB 2916)
- 867** Bail, Bail Bonds - As enacted, allows a court, when setting bail for a defendant arrested for certain alcohol related offenses and such defendant has prior

convictions for certain alcohol related offenses or is currently already released on bail for certain alcohol related offenses, to order monitoring devices or in-patient treatment as a condition of release and requires the court to determine whether the defendant is a danger to the community prior to release. - Amends TCA Title 40. (*HB 3281 SB 3346)

- 868** Comptroller, State - As enacted, abolishes the division of local finance and the division of bond finance and transfers the powers, functions, and duties of such divisions to the comptroller. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49; Title 58; Title 64 and Title 68. (*HB 3604 SB 3689)
- 869** Textbooks - As enacted, requires students be allowed to take textbooks that are assigned to the student home in order to study. - Amends TCA Title 49, Chapter 6, Part 22. (HB 3711 *SB 3311)
- 870** Juveniles - As enacted, requires juvenile detention facilities and facilities for children who are not in DCS custody that provide community-based alternative education programs to report to the department of education the number of youth detained or served, as well as relevant demographic and service delivery information as specified by the department; requires the department to provide to certain entities a report containing a compilation of the data and a detailed analysis of the findings; requires state board to develop or modify curriculum-based standards, as necessary. - Amends TCA Title 33; Title 37; Title 41 and Title 49. (SB 2198 *HB 2341)
- 871** Massage - As enacted, allows for revocation, suspension, or denial of license if person is mentally incompetent, guilty of unethical or unprofessional conduct, or convicted of a misdemeanor. - Amends TCA Title 63, Chapter 18. (*SB 3706 HB 3770)
- 872** Health Care - As enacted, extends the termination date of the Access Tennessee Act, the Cover Tennessee Act, and the Cover Kids Act from June 30, 2010, to June 30, 2015. - Amends TCA Title 56, Chapter 7, and Title 71, Chapter 3 and 5. (*SB 3834 HB 3801)
- 873** Drugs - As enacted, creates offense of selling synthetic urine; exempts sales for bona fide educational, medical, and scientific purposes; violation punishable as Class C misdemeanor. - Amends TCA Title 39, Chapter 17, Part 4. (*HB 2762 SB 3008)
- 874** Employees, Employers - As enacted, allows employers to pay employees via electronic automated fund transfer into an account in the name of the employee or by credit to a prepaid debit card from which the employee is able to withdraw or transfer funds. - Amends TCA Section 50-2-103. (HB 3095 *SB 2633)
- 876** Utilities, Utility Districts - As enacted, specifies that a government joint venture that supplies or treats water or wastewater for wholesale use only to other governments will not fall under the jurisdiction of the utility management review board or the water and wastewater financing board, as appropriate, for the purpose of reporting negative change in the net assets annually, but will be referred to the board if the government joint venture is in a deficit or default position. - Amends TCA Section 7-82-401 and Section 68-221-1010. (*HB 3603 SB 3690)

- 877** Historical Sites and Preservation - As enacted, authorizes Tennessee state museum to contract for the repair, renovation, and maintenance of the McCampbell House in Donelson. - Amends TCA Title 4, Chapter 13.(*SB 3727 HB 3756)
- 878** Education - As enacted, requires parent involvement plans to include plans for improvement in parent and teacher cooperation with regard to planning for higher education opportunities. - Amends TCA Title 49.(*SB 1321 HB 1873)
- 879** Health Care - As enacted, prohibits coverage for abortion services under any health care plan through an exchange required to be established in this state pursuant to federal health care reform legislation. - Amends TCA Title 9, Chapter 4; Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2; Title 56; Title 68 and Title 71.(*HB 2681 SB 2686) **{See Appendix "J"}**
- 880** Highway Signs - As enacted, "Veterans Memorial Highway," segment of S.R. 44 in Sullivan County. - (*HB 2663 SB 2575)
- 881** Foster Care - As enacted, requires a child-placing agency to collect medical and social history on a foster child and child's biological family within 30 days of foster care placement. - Amends TCA Section 36-1-113 and Section 37-2-403.(*SB 2797 HB 2992)
- 882** Animal Control - As enacted, allows Davidson County as well as Shelby County and municipalities within to enact ordinance allowing for district attorney to petition general sessions court for destruction of dangerous dogs. - Amends TCA Title 44, Chapter 17, Part 1.(SB 3715 *HB 3383)
- 883** Local Education Agency - As enacted, requires that LEAs shall update their policy pamphlets every two years, rather than annually. - Amends TCA Title 49, Chapter 2.(*SB 3255 HB 3867)
- 884** Education, Higher - As enacted, authorizes the board of trustees of the baccalaureate education system trust fund program to establish, or contract for the establishment of an incentive plan to encourage Tennessee residents to participate in any such other college savings program or in any Section 529 college savings program established by the state. - Amends TCA Title 49, Chapter 7, Part 8.(*SB 1142 HB 1516)
- 885** Firearms and Ammunition - As enacted, removes the authority of the governor to commandeer or limit the sale or transportation of firearms, ammunition, or firearm or ammunition components during a state of emergency, major disaster, or natural disaster. - Amends TCA Title 58, Chapter 2, Part 1.(*SB 2391 HB 3240)
- 886** Food and Food Products - As enacted, provides that any local education agency may donate any apparently wholesome food fit for human consumption to a county jail or bona fide charitable or nonprofit organization for free distribution, and will not be subject to criminal penalty for violation of unfair trade practice laws or civil damages arising from the condition of the food, unless an injury is caused by the negligence, recklessness or intentional conduct of the agency. - Amends TCA Title 49 and Title 53, Chapter 13, Part 1.(SB 2726 *HB 2805)
- 887** Adoption - As enacted, states that the department of children's services may be found to have made reasonable effort if the department's efforts have exceeded the

efforts of the parent or guardian to establish a suitable home for the parent or guardian's child. - Amends TCA Section 36-1-102 and Section 37-2-402.(*SB 3000 HB 3424)

- 888** Paternity - As enacted, states that a man shall not be a legal parent based solely on scientific testing, without either a court order or voluntary acknowledgment of paternity, but such testing may be a basis for a court of competent jurisdiction to establish paternity. - Amends TCA Section 36-1-102.(*SB 3001 HB 3423)
- 889** Taxes, Real Property - As enacted, exempts from taxation of real property buildings on land owned by charitable institutions and developed for construction of residences for low-income households. - Amends TCA Title 67, Chapter 5, Part 2. (SB 3348 *HB 2635)
- 890** Insurance Companies, Agents, Brokers, Policies - As enacted, redefines "standard reference compendia." - Amends TCA Section 56-7-2352.(*SB 3625 HB 3921)
- 891** Board of Regents - As enacted, authorizes board to call meetings, in addition to annual meeting, with five days notice; clarifies that board may adjourn meetings to any date; revises other various provisions regarding higher education, including provisions governing audits and the Institute for Public Service. - Amends TCA Title 49.(SB 3680 *HB 3503)
- 892** Insurance Companies, Agents, Brokers, Policies - As enacted, enacts the "Property and Casualty Actuarial Opinion Law." - Amends TCA Title 56, Chapter 1, Part 4 and Title 56, Chapter 1, Part 5.(*SB 3906 HB 3782)
- 893** Estates - As enacted, revises the manner in which fees are determined for persons who identify legatees or distributees of an estate who were not previously identified. - Amends TCA Title 30.(*HB 0172 SB 0735)
- 894** Domestic Relations - As enacted, requires court to hold in contempt any person who makes false allegation of sexual abuse in furtherance of litigation; also requires false accuser to pay other party's litigation costs. - Amends TCA Title 19; Title 20; Title 21 and Title 36.(*HB 1130 SB 1264)
- 895** Firearms and Ammunition - As enacted, allows a commissioned reserve deputy sheriff, as authorized in writing by the sheriff, or commissioned reserve or auxiliary police officer, as authorized by the chief of police, to carry firearms as a law enforcement officer. - Amends TCA Section 39-17-1350.(HB 1665 *SB 1912)
- 896** Correctional Programs - As enacted, allows TRICOR to develop policies for sale of goods to inmates within custody of the department of correction. - Amends TCA Title 41, Chapter 22, Part 1.(*HB 2483 SB 2507)
- 897** Gas, Petroleum Products, Volatile Oils - As enacted, limits term of municipal contracts entered into to stabilize the purchase price of fuel to maximum of 24 months; removes requirement that such contracts must terminate by June 30, 2011. - Amends TCA Title 7, Chapter 51, Part 9.(*HB 2766 SB 2688)
- 898** Abuse - As enacted, authorizes concerned family members to obtain court order to intercede when an adult is subject to abuse, neglect, or exploitation. - Amends TCA Title 71, Chapter 6, Part 1.(*HB 2778 SB 2832)

- 899 Methamphetamine - As enacted, clarifies that it is a Class B misdemeanor for any person, other than one carrying out clean up of the quarantined property, knowingly to inhabit quarantined property; to enter onto quarantined property without federal, state, county or municipal government authorization; to offer such property to the public for temporary or indefinite habitation; or to remove any signs or notices of the quarantine. - Amends TCA Title 68, Chapter 12, Section 503.(HB 3270 *SB 2969)
- 900 Judgments - As enacted, establishes requirements for authenticating or issuing execution upon a foreign judgment. - Amends TCA Title 16; Title 19; Title 20; Title 21; Title 25; Title 26; Title 29 and Title 45.(*HB 3300 SB 3589)
- 901 Uniform Laws - As enacted, revises Uniform Interstate Family Support Act. - Amends TCA Title 36, Chapter 5.(HB 3647 *SB 2818)
- 902 Uniform Laws - As enacted, enacts the "Uniform Unsworn Declarations Act." - Amends TCA Title 20; Title 24 and Title 39.(HB 3651 *SB 2817)
- 903 Gas, Petroleum Products, Volatile Oils - As enacted, revises various provisions of the Tennessee Petroleum Underground Storage Tank Act. - Amends TCA Title 68, Chapter 215, Part 1.(*SB 3854 HB 3842)
- 904 Sexual Offenders - As enacted, establishes procedures for revocation of license to practice medicine or other restrictions on practice if licensee found to be, after hearing, a person required to register as a sex offender. - Amends TCA Title 40, Chapter 39, Part 2; Title 63, Chapter 6, Part 2 and Title 63, Chapter 9.(SB 3362 *HB 3369)
- 905 Health Care - As enacted, revises various provisions regarding the health equity commission. - Amends TCA Title 3, Chapter 15, Part 4.(*HB 3459 SB 3245)
- 906 Election Laws - As enacted, provides that no voter may be purged due to a deficient registration form once the administrator has declared the person a registered voter, unless the administrator later determines the voter knowingly made or consented to false information being placed on the registration form or failed to provide a valid signature. - Amends TCA Section 2-11-202 and Title 2, Chapter 2, Part 1.(*HB 3456 SB 3392)
- 907 Safety - As enacted, imposes same liability as state employees upon special inspectors for boilers and unfired pressure vessels. - Amends TCA Title 68, Chapter 122.(HB 2817 *SB 2697)
- 908 Courts - As enacted, codifies and gives statutory effect to Tennessee's equitable and common law defense of unclean hands with respect to commercial transactions. - Amends TCA Title 16.(*HB 0185 SB 0744)
- 909 Health Care - As enacted, enacts the "Annual Coverage Assessment Act of 2010." - Amends TCA Title 33; Title 67; Title 68 and Title 71.(SB 3528 *HB 3310) **{See Appendix "C"}**
- 910 Education - As enacted, requires the peace officers standards and training commission to report to the select committee on education oversight on current law enforcement training and procedures for responding to violent school incidents in elementary and secondary schools and in postsecondary institutions. - Amends

TCA Title 49.(SB 0769 *HB 0564)

- 911** Education, State Board of - As enacted, requires the state board of education to develop guidelines and criteria for the inclusion of foreign language instruction in grades kindergarten through six. - Amends TCA Title 49, Chapter 1, Part 3.(*SB 1075 HB 1371)
- 912** Education - As enacted, urges institutions of higher education offering approved teacher training programs to explore ways in which research methodologies related to comparative education concepts that study and examine teaching practices and learning outcomes in other countries can be incorporated into existing curriculum. - Amends TCA Title 49.(SB 1743 *HB 0376)
- 913** State Government - As enacted, establishes an EFFECTs position to establish an accountability process to insure state government is efficient, forward-looking, focused, energetic, competent, and transparent. - Amends TCA Title 4.(*SB 2023 HB 2219)
- 914** Pensions and Retirement Benefits - As enacted, requires forfeiture of access to health insurance benefits by any member of the general assembly convicted of a felony involving public office; applies to convictions occurring after this act's effective date. - Amends TCA Title 8.(SB 2205 *HB 2349)
- 915** Adoption - As enacted, specifies that if, after determining the surrender to be in the child's best interest, the department of children's services accepts a surrender of a child who was previously placed for adoption by the department from the child's adoptive parent, the unrevoked surrender of such child may terminate the responsibilities of the adoptive parent for future child support or other future financial responsibilities. - Amends TCA Title 36, Chapter 1 and Title 37, Chapter 1.(SB 2341 *HB 2372)
- 916** Education - As enacted, enacts the "Teacher Code of Ethics." - Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 5.(*SB 2416 HB 3130)
- 917** Annexation - As enacted, revises provisions governing a municipality annexing by ordinance territory outside its urban growth boundary. - Amends TCA Section 6-58-111.(*SB 2581 HB 2713)
- 918** Consumer Protection - As enacted, prohibits the advertising, promotion, and sale of international driver's licenses; establishes that such practices and other related acts violate the Tennessee Consumer Protection Act; imposes certain civil penalties on such violations. - Amends TCA Title 47.(*SB 2712 HB 3018)
- 919** Public Employees - As enacted, requires state insurance committee to provide opportunity for eligible local education and local government employees to participate in the long-term care benefits program. - Amends TCA Title 8, Chapter 27.(SB 2908 *HB 2975)
- 920** Workers Compensation - As enacted, authorizes treating physicians of patients being treated under workers' compensation law to refer such patients for pain management; establishes a presumption that a patient who is beyond the expected period of healing but who is referred to pain management to be at maximum medical improvement for workers' compensation purposes upon the earlier of the date that the treating physician determines the patient to be at maximum medical

improvement or 104 weeks after the commencement of pain management. - Amends TCA Title 50.(SB 2928 *HB 3015)

- 921 DUI/DWI Offenses - As enacted, requires certain DUI offenders to operate only a motor vehicle that is equipped with a functioning ignition interlock device. - Amends TCA Title 7; Title 29; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 55; Title 68 and Title 71.(SB 2965 *HB 2768)
- 922 Drugs - As enacted, creates Class A misdemeanor for production, manufacture, distribution, possession, or possession with intent to produce, manufacture, or distribute the synthetic cannabinoids JWH-018, JWH-073, HU-210, and HU-211; does not apply to lawfully prescribed drugs or substances. - Amends TCA Title 39, Chapter 17, Part 4.(SB 2982 *HB 2968) **{See Appendix "J"}**
- 923 Property - As enacted, authorizes Shelby County legislative body to vote to allow community organizations the right to petition and enter upon vacant property for the purpose of removing litter. - Amends TCA Title 5, Chapter 1; Title 6, Chapter 54; Title 13, Chapter 21 and Title 13, Chapter 6, Part 1.(SB 2983 *HB 2827)
- 924 Child Custody and Support - As enacted, establishes a presumption that each parent age 18 or older has knowledge of a parent's legal and moral obligation to support his or her child or children. - Amends TCA Section 36-1-102.(*SB 3002 HB 3427)
- 925 Education - As enacted, clarifies the appeals process for tenured teachers who are dismissed by a local board of education; requires that if the commissioner of education who is initially appointed to the teacher evaluation advisory committee as chairperson ceases to be the commissioner of education because of resignation or retirement, then such former commissioner remains a member of the committee until the committee ceases to exist. - Amends TCA Title 49.(*SB 3053 HB 3133) **{See Appendix "A"}**
- 926 Nurses, Nursing - As enacted, clarifies nurses who can work with medication aides. - Amends TCA Title 63.(*SB 3144 HB 3368)
- 927 Alcoholic Beverages - As enacted, authorizes sale of alcoholic beverages for on-premises consumption at Country Boy Restaurant in Leiper's Fork in Williamson County and Memorial Auditorium and Tivoli Theater in Chattanooga. - Amends TCA Title 57, Chapter 4.(SB 3161 *HB 3248)
- 928 Taxes, Agricultural and Open Spaces - As enacted, specifies that the general assembly finds that value for agricultural, forest, or open space land should not be deemed the value of property for any purpose other than a future assessment of rollback taxes, because it does not determine the actual tax liability of a qualifying owner at the time of valuation. - Amends TCA Title 67, Chapter 5, Part 10.(*SB 3191 HB 3448)
- 929 Criminal Offenses - As enacted, authorizes prosecutors to allow guardians of children violating truancy laws to attend parent education training and parent-teacher conferences as an alternative to criminal prosecution. - Amends TCA Title 49, Chapter 6, Part 30.(*SB 3246 HB 3874)
- 930 Schools, Charter - As enacted, revises the membership of the task force on charter schools; adds the design and method of training for charter schools' board

members to the list of subjects that the task force is required to address; changes the date by which the comptroller must report the charter school task force's findings and recommendations to the general assembly from February 2, 2010, to February 2, 2011. - Amends TCA Section 49-13-129.(*SB 3257 HB 3875)

- 931** Education - As enacted, authorizes schools to establish an International Baccalaureate Programme fund or an Advanced Placement fund to receive donations or grants from individuals or from private corporations, associations, or other artificial entities, both nonprofit and for profit, that desire to help support an International Baccalaureate Programme or an Advanced Placement program offered or attempted to be established by the school. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6 and Title 49, Chapter 7, Part 1.(SB 3304 *HB 2947)
- 932** Taxes, Ad Valorem - As enacted, allows a municipality to contract with another collecting official within the same county to outsource processing of property tax relief applications. - Amends TCA Title 67, Chapter 5, Part 7.(SB 3361 *HB 2998)
- 933** Funeral Directors and Embalmers - As enacted, provides for an indigent fund to be created for certain purposes once the balance in the pre-need funeral consumer protection account exceeds \$2,500,000. - Amends TCA Section 62-5-414.(SB 3410 *HB 3549)
- 934** Barbers - As enacted, requires that on and after July 1, 2010, as vacancies arise on the board of barber examiners, at least one of the four barber members must be an instructor, owner, employee, or manager of a barber school. - Amends TCA Section 62-3-101.(*SB 3421 HB 3709)
- 935** Education - As enacted, allows LEAs to donate computers removed from school inventories to low-income families in the school district. - Amends TCA Title 49, Chapter 6, Part 20.(SB 3425 *HB 3544)
- 936** Zoning - As enacted, requires that multifamily residential establishments, whether used as owner-occupied property or rental property, that were permitted to operate under zoning regulations or exceptions thereto immediately preceding a change in zoning, be allowed to reconstruct new facilities necessary to the conduct of such multifamily residential establishment subsequent to the zoning change, in the event of damage by involuntary fire or wind damage or other natural disaster. - Amends TCA Title 13.(*SB 3430 HB 3956)
- 937** Bail, Bail Bonds - As enacted, revises provisions governing bail for individuals with mental illness and other provisions governing how persons believed to have mental illness are to be handled when arrested. - Amends TCA Title 40, Chapter 11.(*SB 3439 HB 3691)
- 938** Motor Vehicles - As enacted, allows highway maintenance or utility vehicles to operate a white, amber, or white and amber light system on any location on the vehicle. - Amends TCA Title 55, Chapter 9, Part 4.(SB 3457 *HB 3489)
- 939** Explosives - As enacted, requires blasters to file a notice with commerce and insurance prior to the blast occurring. - Amends TCA Section 68-105-103.(SB 3608 *HB 3167)
- 940** Industrial Development - As enacted, authorizes industrial development

corporations to finance infrastructure expenses serving certain mixed-use developments. - Amends TCA Section 7-53-312.(SB 3622 *HB 3417)

- 941** Judicial Districts - As enacted, clarifies that any drug testing fee or other fee that was assessed and collected in the ninth judicial district before such fees were repealed in 2007 to be designated for use by the ninth judicial district drug task force. - Amends TCA Title 39, Chapter 17, Part 4.(*SB 3627 HB 3964)
- 942** Taxes, Assessment - As enacted, clarifies that under present law regarding the classification and assessment of property taxes relating to public utilities, a motor bus and/or truck company owning or leasing real or personal property located in the state would include those owner operators who operate under such motor bus and/or truck company's motor carrier authority. - Amends TCA Title 67.(SB 3686 *HB 3607)
- 943** Education - As enacted, specifies that when applying the maximum interest rate for bonds issued by the Tennessee state school bond authority with respect to which the local government has elected to have the federal Build America Bonds program apply to such bond, the maximum interest rate will be determined by reducing the interest payable by the authority with respect to such bond by the amount of payments from the U.S. treasury that the authority expected, at the time of the issuance of such bond as a result of the foregoing elections; provisions to expire on June 30, 2012. - Amends TCA Title 49, Chapter 3.(SB 3693 *HB 3589)
- 944** Parks, Natural Areas Preservation - As enacted, expands the daily commercial carrying capacity for whitewater rafting in the lower Ocoee River Recreational Area. - Amends TCA Title 11, Chapter 13 and Title 11, Chapter 3.(SB 3789 *HB 3055)
- 945** Boards and Commissions - As enacted, specifies that registration requirements for using terms "engineer" and "architecture" do not apply to any person in business in this state in 1998 for the sole purpose of manufacturing and distributing federal aviation administration approved avionic equipment. - Amends TCA Title 62 and Title 63.(SB 3819 *HB 3465)
- 946** State Government - As enacted, authorizes the board of claims to establish incentive programs for state departments, agencies, and institutions to reduce liabilities to the risk management fund. - Amends TCA Section 9-8-108.(*SB 3824 HB 3806)
- 947** Election Laws - As enacted, requires the secretary of state to file a copy of the previous year's consolidated report on the Help America Vote Act requirements and payments to the finance, ways and means committees of both houses, the fiscal review committee, and the office of legislative budget analysis by February 1 of each year. - Amends TCA Title 2.(*SB 3894 HB 3764)
- 948** County Officers - As enacted, revises the deadline for filing nominating petitions for candidates for a charter commission. - Amends TCA Title 5.(*HB 0195 SB 0129)
- 949** Criminal Offenses - As enacted, makes it a Class A misdemeanor offense for a person who has been convicted of a violent felony to own, possess, or have custody or control of a vicious dog or a potentially vicious dog. - Amends TCA Title 39, Chapter 17 and Title 44, Chapter 8.(*HB 0238 SB 0555)

- 950** Contractors - As enacted, requires masonry contractors to be licensed under the present law provisions governing contractors, if the total cost of the masonry portion of a construction project exceeds \$100,000, materials and labor. - Amends TCA Title 62, Chapter 6. (*HB 1242 SB 1560)
- 951** Criminal Procedure - As enacted, revises provisions governing expunction of records of person found not guilty following bench trial or trial by jury. - Amends TCA Title 40, Chapter 32, Part 1. (HB 1277 *SB 1113)
- 952** Insurance, Health, Accident - As enacted, establishes requirements for insurers and patients to reimburse anatomic pathology services. - Amends TCA Title 56 and Title 63. (HB 2367 *SB 1204)
- 953** Criminal Offenses - As enacted, makes it a Class A misdemeanor for any person to knowingly intercept any radio frequency transmission with the intent to use the intercepted transmission to commit, facilitate, or aid in the flight from a criminal offense. - Amends TCA Title 39, Chapter 13, Part 6. (*HB 2506 SB 2545)
- 954** Highway Signs - As enacted, provides for erection of directional signs to U.S. Chess Federation on Interstate 40 in Cumberland County at Exit 320. - (HB 2507 *SB 2485)
- 955** Purchasing - As enacted, clarifies that the purchase of used or secondhand articles by local government may be made as long as the price is not more than 5 percent higher than the highest value of the document range instead of the price falling within 10 percent of the documented range. - Amends TCA Section 12-3-1003. (*HB 2552 SB 2608)
- 956** Child Custody and Support - As enacted, restricts the modification of an existing residential schedule in a permanent parenting plan prior to a final hearing unless the parents agree to the modification or the court determines that the child will be subject to a likelihood of substantial harm absent temporary modification. - Amends TCA Title 36, Chapter 6, Part 4. (*HB 2698 SB 2750)
- 957** Children - As enacted, creates a rebuttable presumption of substantial harm to a child if the child is not granted visitation with a grandparent who is the parent of the child's deceased parent. - Amends TCA Title 36, Chapter 6, Part 3. (*HB 2700 SB 3036)
- 958** Municipal Government - As enacted, revises provisions governing special assessments involving property parcels that are or become subject to a horizontal property regime, condominium regime, time-share regime or vacation club regime; revises provisions governing applicable formula rate for certain purposes. - Amends TCA Title 7, Chapter 32 and Title 7, Chapter 33. (HB 2703 *SB 2565)
- 959** Orders of Protection - As enacted, specifies that a protection order issued to protect the petitioner from domestic abuse, stalking or sexual assault may prohibit the respondent from coming about the petitioner for any purpose; specifies that order of protection forms be used exclusively in all courts exercising jurisdiction over orders of protection. - Amends TCA Title 36, Chapter 3, Part 6. (HB 2780 *SB 2708)
- 960** Transportation, Dept. of - As enacted, authorizes commissioner, when awarding certain federal transportation enhancement grant funding for acquisition of scenic or historic sites to contract with certain civil war preservation organizations for use of

- such funds. - Amends TCA Title 4, Chapter 3, Part 23 and Title 9, Chapter 4, Part 51.(HB 3041 *SB 2795)
- 961** Census - As enacted, adjusts terminology to reflect data collected through the American Community Survey instead of the census long form questionnaire. - Amends TCA Section 1-3-105; Section 7-59-303; Section 13-23-103; Section 40-28-202; Section 67-5-705 and Section 68-202-601.(HB 3153 *SB 3094)
- 962** Taxes - As enacted, revises the tax on unauthorized substances based on the decision of the Tennessee Supreme Court in *Waters v. Farr* to impose the tax on the merchant of unauthorized substances. - Amends TCA Title 67, Chapter 4, Part 28.(HB 3164 SB 3134) **{See Appendix "D"}**
- 963** Boards and Commissions - As enacted, enacts the "Tennessee Appraisal Management Company Registration and Regulation Act." - Amends TCA Title 62, Chapter 39.(HB 3191 SB 3155)
- 964** DNA and Genetic Testing - As enacted, requires TBI to maintain a DNA database of certain juvenile sexual offenders and adds an adjudication of delinquency for an act which if committed as an adult would constitute aggravated rape of a child to the list of acts for which a court shall require a juvenile to submit a DNA sample. - Amends TCA Title 38; Title 39 and Title 40.(HB 3196 SB 3169)
- 965** Aircraft and Airports - As enacted, clarifies property that is excluded from being defined as a heliport in a tourist resort county is limited to private property used for the landing of a privately owned and operated helicopter for private non-commercial purposes. - Amends TCA Section 42-8-101.(HB 3225 SB 3537)
- 966** Traffic Safety - As enacted, clarifies that municipalities may by ordinance adopt all provisions of law included in the rules of the road for local enforcement. - Amends TCA Title 55, Chapter 10, Part 3.(HB 3267 *SB 3044)
- 967** Death - As enacted, sets the priority as to who has the right to dispose of a dead body through cremation. - Amends TCA Title 62, Chapter 5, Part 5.(HB 3293 SB 3411)
- 968** Property - As enacted, establishes duty of care of landowners, lessees and occupants of land whose land is entered by others for recreational non-commercial aircraft operations or recreational non-commercial ultra light operations on private airstrips. - Amends TCA Title 70, Chapter 7.(HB 3314 *SB 3011)
- 969** Clerks, Court - As enacted, authorizes the chancery court clerks to invest idle funds of minor and incompetents in certain manners. - Amends TCA Section 18-5-105. (*HB 3583 SB 3394)
- 970** Regional Authorities and Special Districts - As enacted, revises provisions governing membership of regional megasite authorities. - Amends TCA Title 64, Chapter 6.(HB 3598 *SB 3335)
- 971** Comptroller, State - As enacted, authorizes the comptroller to require all persons prior to employment with the office of the comptroller to agree to release of investigative records and to supply a fingerprint sample and submit to a criminal history records check; comptroller will pay cost of the background investigations. - Amends TCA Title 8, Chapter 4.(HB 3605 SB 3688)

- 972** Transportation, Dept. of - As enacted, urges department to study permit fees imposed on the movements of oversize and overweight freight motor vehicles and report the results of such study to the transportation committee of each chamber of the general assembly no later than January 1, 2011. - Amends TCA Section 55-7-205.(*HB 3725 SB 3897)
- 973** Public Utilities - As enacted, permits a certificated provider of local exchange telephone services to file a tariff with the authority regulating such services. - Amends TCA Section 65-5-109.(HB 3773 *SB 3640)
- 974** County Government - As enacted, authorizes Washington County, subject to a two-thirds vote of the county legislative body, to opt out of bidding requirements of the county purchasing law for the purchase of group health insurance contracts. - Amends TCA Title 5, Chapter 14 and Title 8, Chapter 27.(HB 3892 *SB 3655)
- 975** Highway Signs - As enacted, "Veterans Memorial Highway," U.S. Highway 70A/79 in Crockett County. - (HB 3924 *SB 3624)
- 976** Physicians and Surgeons - As enacted, requires the board of medical examiners to give an extension of time within which to successfully complete the United States Medical Licensing Examination to any applicant who is licensed in good standing in at least three other jurisdictions and who meets the other requirements for licensure. - Amends TCA Title 63.(*SB 1552 HB 1895)
- 977** Health Care - As enacted, authorizes health, educational and housing facility corporations to lease or sell projects to clinics or to enter into a loan agreement with clinics with respect to such projects. - Amends TCA Title 48, Chapter 101, Part 3. (*SB 2804 HB 2949)
- 978** Insurance, Health, Accident - As enacted, requires insurers offering Medicare supplement policies and certificates in this state to persons 65 years of age or older to also offer Medicare supplement policies to persons in this state who are under 65 years of age and eligible for and enrolled in Medicare by reason of disability or end stage renal disease. - Amends TCA Title 56.(*SB 3164 HB 3717)
- 979** Child Abuse - As enacted, revises various provisions governing the reporting of child abuse. - Amends TCA Title 37; Title 39 and Title 40.(SB 3267 *HB 3412)
- 980** Insurance, Health, Accident - As enacted, enacts the "Tennessee Health Carrier Grievance and External Review Procedure Act." - Amends TCA Title 56.(*SB 3806 HB 3940)
- 981** Domestic Violence - As enacted, changes incorrect cross-references to definition of domestic abuse victim and domestic abuse. - Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13; Title 40, Chapter 11, Part 1 and Title 40, Chapter 35, Part 3. (*HB 3577 SB 3380)
- 982** Public Funds and Financing - As enacted, revises the composition of the state funding board; extends the authority for the sale of certain bonds at private sale to June 30, 2012; establishes interest rate for bonds with respect to which the funding board or local government has elected to have the federal Build America Bonds program apply to such bond. - Amends TCA Title 9, Chapters 9 and 21.(*HB 3601 SB 3692)

- 983** Civil Procedure - As enacted, establishes certain public policies in regard to the application of foreign laws, legal codes and systems to protect constitutional rights of citizens of this state. - (HB 3768 *SB 3740)
- 984** Motor Vehicles - As enacted, requires that the notice of tow of an abandoned or unclaimed vehicle be given to the last registered owner within three business days of receiving verification of ownership of the vehicle. - Amends TCA Title 55, Chapter 16.(*SB 1678 HB 1561)
- 985** Transportation, Dept. of - As enacted, allows a functional replacement of real property to serve as continued public ownership and use of an interest in right-of-way property acquired from the department so that such property interest will not revert to the department, if the replacement property is at least equal in fair market value to the property being replaced and subject to the approval of TDOT. - Amends TCA Title 12.(*SB 0399 HB 1339)
- 986** Traffic Safety - As enacted, authorizes highway patrol officers with Level 1 training to stop certain commercial motor vehicles when there is probable cause to believe the vehicle is being operated with unsafe loading or mechanical conditions; specifies that no citation may be issued but the officer will implement out-of-service requirements. - Amends TCA Title 55, Chapter 4, Part 1 and Title 65, Chapter 15, Part 1.(SB 1325 *HB 1312)
- 988** Sunset Laws - As enacted, extends board of land survey examiners, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 1.(*SB 2419 HB 2597)
- 989** Judges and Chancellors - As enacted, authorizes, in any county in which the judicial commissioner is selected by the general sessions judge or judges, the county legislative body of such county to elect, by a two-thirds majority, to allow each judicial commissioner to receive 12 hours of appropriate continuing education each calendar year under the supervision of the appointing general sessions judge or judges rather than the Judicial Commissioners Association of Tennessee or the Tennessee Court Clerks Association; requires that judicial commissioners in Knox County be known as magistrates. - Amends TCA Section 40-1-111.(SB 2636 *HB 2671)
- 990** Traffic Safety - As enacted, allows counties to regulate parking on roadways solely under their jurisdiction by resolution; a violation would be a Class C misdemeanor, with each day a motor vehicle is in violation being deemed a separate event and the county may remove a motor vehicle that is abandoned or disabled; authorizes local authorities in Davidson County having authority to enact ordinances or make regulations relating to traffic to permit parking of vehicles with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a roadway. - Amends TCA Title 55, Chapter 8.(SB 2638 *HB 2653)
- 991** Motor Vehicles - As enacted, creates certain exemptions from restrictions on motor vehicle height and length for certain motor vehicles carrying rafts or rafting apparatus used by an operator for commercial whitewater rafting purposes; exemptions only apply during certain times of the year. - Amends TCA Title 55 and Title 65, Chapter 15.(*SB 2704 HB 2797)
- 992** Highway Signs - As enacted, "Bob Brown Administration Building," new TDOT

building in Chattanooga. - (*SB 3119 HB 3249)

- 993** Public Property - As enacted, requires any state department, agency, or institution, to procure bids for obtaining appropriate insurance on certain commercial grade vehicles prior to acquiring the vehicle. - Amends TCA Section 9-8-108 and Section 12-3-908(a).(SB 3593 *HB 3633)
- 994** Correctional Programs - As enacted, authorizes TRICOR to sell as surplus property equipment and raw materials no longer usable by TRICOR to businesses, government, non-profit organizations, or by auction to the public. - Amends TCA Title 41, Chapter 22, Part 4.(*HB 2485 SB 2508)
- 995** Sunset Laws - As enacted, extends the Tennessee advisory committee for acupuncture, June 30, 2016; revises various provisions regarding the membership of the Tennessee advisory committee for acupuncture. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6, Part 10.(HB 2612 *SB 2463)
- 996** Sunset Laws - As enacted, extends the polysomnographic professional standards committee, June 30, 2016; revises provisions regarding the membership of the polysomnography professional standards committee. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 31.(HB 2616 *SB 2462)
- 997** Sunset Laws - As enacted, extends the massage licensure board, June 30, 2016; revises certain provisions regarding membership on massage licensure board. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 18.(HB 2617 *SB 2461)
- 998** Sunset Laws - As enacted, extends board of athletic trainers, June 30, 2016; revises various provisions regarding membership of board. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 24, Part 1.(HB 2619 *SB 2440)
- 999** Municipal Government - As enacted, authorizes the board of mayor and alderman of the city of Farragut to adopt an ordinance to establish term limits, to become operative only if approved in a referendum. - Amends TCA Title 6, Chapter 3.(HB 2866 *SB 2702)
- 1000** Local Government, General - As enacted, prohibits local governments from punishing or rewarding law enforcement officers solely based on the number of traffic citations issued or collected upon. - Amends TCA Title 39, Chapter 16 and Title 55, Chapter 8.(HB 2952 *SB 2703)
- 1001** Real Property - As enacted, establishes requirements for actions brought by a creditor to recover a balance still owing on an indebtedness after a trustee's or foreclosure sale of real property secured by a deed of trust or mortgage and for judgments awarded in such actions. - Amends TCA Title 25; Title 28 and Title 35. (*HB 3057 SB 3039)
- 1002** Beer - As enacted, authorizes a local government to seek criminal background checks with the TBI or FBI for applicants for beer permits. - Amends TCA Section 57-5-103.(*HB 3355 SB 3330)
- 1003** Adoption - As enacted, assesses an administrative fee of \$50.00 if a defendant in a termination of parental rights case is provided with court-appointed counsel; specifies that a defendant's willful failure to pay the fee may be considered by the court as evidence of the defendant's financial responsibility, or lack thereof, in any

determination of the best interest of the child. - Amends TCA Section 40-14-103.
(HB 3428 *SB 3003)

- 1004** Fines and Penalties - As enacted, increases mandatory drug testing fee from \$100 to \$250 and additionally imposes fine on granting of pretrial or judicial diversion; establishes requirements for use of moneys in the TBI drug chemistry unit drug testing fund. - Amends TCA Title 39, Chapter 17, Part 4.(HB 3538 *SB 2901)
- 1005** Driver Licenses - As enacted, requires the department of safety, in the case of a conviction for vehicular homicide, to revoke the offender's driver license for the same period of time the court prohibits the person from driving a vehicle under present criminal law for committing the offense. - Amends TCA Title 54 and Title 55. (*SB 0966 HB 1333)
- 1006** Firearms and Ammunition - As enacted, defines "greenway" in law regarding the prohibition of weapons in public spaces. - Amends TCA Section 39-17-1311.(*HB 2719 SB 3753)
- 1007** Uniform Commercial Code - As enacted, revises law regarding the apportionment and collection of taxes in which a tax lien has been placed on personal property in which a secured party has an interest. - Amends TCA Title 67.(HB 3259 *SB 2809)
- 1008** Municipal Government - As enacted, authorizes any municipality, including those incorporated by private act, to change the date of municipal elections by ordinance to coincide with the August or November general elections and to extend the terms of incumbents to meet the new date so long as no term is extended for more than two years; if date is changed, it can be changed back at a later time, but cannot then be changed again. - Amends TCA Title 6.(*HB 3404 SB 3526)
- 1009** Handgun Permits - As enacted, allows person with handgun carry permit to possess handgun in establishment where alcohol is served, provided it is not posted and person does not consume alcohol; specifies penalties for violations. - Amends TCA Title 39, Chapter 17, Part 13; Section 57-3-204 and Section 57-4-203.(*SB 3012 HB 3125) **{See Appendix "E"}**
- 1010** Traffic Safety - As enacted, requires certain motor vehicles or trailers transporting certain loads at night to mount strobe or LED light at back of projecting load. - Amends TCA Title 55, Chapter 9, Part 4.(*HB 2486 SB 2699)
- 1011** Sunset Laws - As enacted, extends council of certified professional midwifery, June 30, 2016; revises various present law provisions regarding the membership of the council of certified professional midwifery. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 29.(HB 2603 *SB 2457)
- 1012** Sunset Laws - As enacted, extends the private investigation and polygraph commission, June 30, 2013; revises various provisions regarding commission membership. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 26.(HB 2609 *SB 2431)
- 1013** Motor Vehicles - As enacted, extends certain for-hire motor carrier provisions to any motor vehicle transporting passengers who are TennCare enrollees eligible for such transportation services under TennCare. - Amends TCA Title 65.(HB 3025 *SB

2911)

- 1014** Taxes, Real Property - As enacted, designates procedures for delinquent tax sales when delinquent taxes are owed to both municipality and county. - Amends TCA Title 67, Chapter 5, Part 25.(HB 3190 SB 3174)
- 1015** DUI/DWI Offenses - As enacted, revises the substances that give rise to a DUI, so that it is unlawful to operate or be in control of a motor driven vehicle while under the influence of any intoxicant, marijuana, controlled substance, drug, substance affecting the central nervous system or combination thereof that impairs the driver's ability to safely operate a motor vehicle by depriving the driver of the clearness of mind and control of himself which he would otherwise possess. - Amends TCA Title 55, Chapter 10.(HB 3280 *SB 2970)
- 1016** Depositions - As enacted, defines "employee" for the purposes of the prohibition on a deposition being taken by an employee of one of the parties or of an attorney for one of the parties. - Amends TCA Section 24-9-136.(HB 3380 *SB 3059)
- 1017** Unemployment Compensation - As enacted, requires the weekly benefit amount to be paid by electronic transfer to a specific bank account if requested by the claimant; details requirements for benefits paid by check. - Amends TCA Title 50, Chapter 7.(HB 3421 SB 3518)
- 1018** Funeral Directors and Embalmers - As enacted, authorizes board to grant reciprocity to a person licensed and employed as a funeral director or embalmer in another state for five years; specifies requirements for nonresident applicants. - Amends TCA Section 62-5-311.(HB 3480 *SB 2847)
- 1019** Tennessee Bureau of Investigation - As enacted, designates fees for certain laboratory procedures conducted by the TBI and allocates proceeds from such fees to a fund for use by the bureau. - Amends TCA Title 38, Chapter 6.(HB 3537 *SB 2902)
- 1020** Fines and Penalties - As enacted, increases blood alcohol or drug concentration test (BADT) fee from \$100 to \$250, and adds to present offenses mandating such fine conviction of reckless driving or simple possession or casual exchange of controlled substance; revises manner in which moneys in the TBI toxicology unit intoxicant testing fund are used. - Amends TCA Title 55, Chapter 10, Part 4.(HB 3543 *SB 2900)
- 1021** Highway Signs - As enacted, "American Prisoners of War Pathway," Shelby Street Bridge in Nashville. - (HB 3660 *SB 3398)
- 1022** Boards and Commissions - As enacted, creates the Tennessee criminal justice coordinating council. - Amends TCA Title 4 and Title 41.(HB 3792 *SB 3905)
- 1023** Sexual Offenses - As enacted, requires the select committee on children and youth to study human sex trafficking, the improvements that should be made to existing laws relative to human sex trafficking, and the impact of human sex trafficking on children and youth in this state. - Amends TCA Title 39 and Title 40.(SB 1751 *HB 1302)
- 1024** Veterans - As enacted, directs the commissioner of veterans' affairs to convene an advisory committee to make recommendations and issue findings regarding

establishment of a veteran's honor medal program to appropriately recognize and honor certain Tennessee veterans. - Amends TCA Title 58.(*SB 2488 HB 2665)

- 1025** Sheriffs - As enacted, revises the County Sheriff's Civil Service Law of 1974 in regard to political activities. - Amends TCA Title 8, Chapter 8.(SB 3317 *HB 2522)
- 1026** Annexation - As enacted, allows municipality to expand its urban growth boundaries to include tracts of land that are 10 acres or smaller when certain criteria are met; effective until July 1, 2012. - Amends TCA Section 6-58-104.(*SB 3489 HB 3864)
- 1027** Insurance Companies, Agents, Brokers, Policies - As enacted, specifies that an insured's assignment of benefits may be disregarded by an insurer unless certain conditions are satisfied, if the assignment of benefits is to a non-participating facility based physician. - Amends TCA Title 56.(*SB 3843 HB 3832)
- 1028** Firefighters - As enacted, removes the exemption for various counties from the minimum training requirements for firefighters. - Amends TCA Section 4-24-112. (*SB 2411 HB 3890)
- 1029** Driver Licenses - As enacted, creates a mechanism in Davidson County, effective until June 30, 2012, for certain persons whose driver licenses have been suspended to apply to be allowed to pay outstanding judgments at a reduced rate. - Amends TCA Title 55, Chapter 12, Part 1 and Title 55, Chapter 50, Part 5.(SB 3222 *HB 3120)
- 1030** Budget Procedures - As enacted, adds office of legislative budget analysis as recipient of various information and reports. - Amends TCA Title 3, Chapter 15, Part 5; Title 4; Title 7, Chapter 86, Part 1; Title 8, Chapter 36, Part 7; Title 9; Title 29, Chapter 37, Part 1; Title 37, Chapter 3, Part 1; Title 50, Chapter 7, Part 4; Title 64; Title 67; Title 68 and Title 71.(SB 3474 *HB 3295)
- 1031** Children's Services, Dept. of - As enacted, revises and broadens requirement for the commissioner to provide a report of any death of any person in the custody of the department of children's services at a department facility to instead require report of fatality or near fatality of any child in custody and in other circumstances. - Amends TCA Title 33, Chapter 8 and Title 37, Chapter 5.(SB 0852 *HB 0830)
- 1032** Surveyors - As enacted, enacts the "Soil Scientist Licensing Act of 2009." - Amends TCA Title 62, Chapter 18 and Section 68-221-409.(*SB 1916 HB 1420)
- 1033** Taxes, Sales - As enacted, authorizes the allocation of state sales tax revenues to eligible counties in which commercial development zones are located. - Amends TCA Title 67, Chapter 6.(*SB 2835 HB 3216)
- 1034** Workers Compensation - As enacted, specifies that employees who have had a reduction in pay or a reduction in hours due to economic conditions will not be entitled to reopen their claims if the reduction in pay or reduction in hours affected at least 50 percent of other hourly employees operating at or out of the same location; not applicable to employees involved in layoffs, closures, or a termination of business operations. - Amends TCA Section 50-6-241.(SB 2943 *HB 2928)
- 1035** Electricity - As enacted, revises Electric G&T Cooperative Act to authorize certain

payments in lieu of taxes; authorizes inclusion of TVA as governmental electric system. - Amends TCA Title 48 and Title 67.(SB 3333 *HB 3504)

- 1036** Taxes, Real Property - As enacted, revises various property tax provisions including provisions governing assessments of public utility taxpayers and property, transfers of property from one exempt religious institution to another, and assessments of property damaged by disaster certified by FEMA. - Amends TCA Title 67, Chapter 1 and Title 67, Chapter 5.(SB 3687 *HB 3606)
- 1037** Traffic Safety - As enacted, clarifies and adds to types of information that must be included in traffic citations and abstracts of court records pertaining to traffic violations; requires persons holding commercial driver licenses to have a medical card or provide evidence of exemption beginning January 1, 2011, makes other changes concerning motor vehicles. - Amends TCA Title 55.(SB 3907 HB 3791)
- 1038** Motor Vehicle Commission - As enacted, requires a person to obtain an automotive mobility dealer license from the motor vehicle commission, prior to engaging or continuing in the business of an automotive mobility dealer after March 1, 2011; revises provisions governing automobile clubs and associations. - Amends TCA Title 4; Title 9; Title 47; Title 54; Title 55 and Title 65.(HB 1323 *SB 0954)
- 1039** Firefighters - As enacted, exempts firefighters in Smith County from the minimum training requirements unless the governing body of a municipality or the county adopts a resolution to apply such requirements within their respective jurisdictional boundaries; specifies that pay supplement not available to firefighters in Smith County unless they meet minimum training requirements. - Amends TCA Section 4-24-112.(HB 2492 SB 2487)
- 1040** Forfeiture of Assets - As enacted, authorizes internal affairs director and agents of department to seize conveyances subject to forfeiture and have disposition of same inure to benefit of the department. - Amends TCA Section 39-17-420; Title 40, Chapter 33, Part 1; Title 53, Chapter 11 and Title 55, Chapter 5, Part 1.(HB 3784 *SB 3909)
- 1041** Correctional Programs - As enacted, includes operation of transitional facilities within meaning of "correctional services" for purposes of the Private Prison Contracting Act of 1986; defines "transitional facilities" as certain institutions where offenders who are close to release from prison are provided transitional services. - Amends TCA Section 41-24-102.(HB 3788 *SB 3873)
- 1042** Unemployment Compensation - As enacted, removes provisions regarding board of review and revises procedures governing review of claims. - Amends TCA Section 50-7-304; Section 50-7-601; Section 50-7-701; Section 50-7-702; Section 50-7-703 and Section 50-7-708.(HB 3789 *SB 3874)
- 1043** Medical Occupations - As enacted, revises the duties of the director of the division of health related boards; revises present law regarding the division, licensure to practice medicine, and veterinarians. - Amends TCA Title 63.(HB 3805 *SB 3846)
- 1044** Children's Services, Dept. of - As enacted, requires the commissioner of children's services to promote collaboration and accountability among local, public, and private programs to improve the lives of children and families, including continuing

accreditation with the Council on Accreditation for Children and Family Services. - Amends TCA Title 37, Chapter 5.(HB 3850 *SB 3865)

- 1045** Education, Dept. of - As enacted, requires the department, working with the Confucius Institutes at the University of Memphis and Middle Tennessee State University, to study and assess the Hanyu Shuiping Kaoshi (HSK) proficiency tests for the purpose of establishing a pilot program modeled on the development of HSK testing that will aid in the construction of diagnostic tools for the determination of mastery and proficiency in other foreign languages. - Amends TCA Title 49, Chapter 6, Part 60.(*HB 0209 SB 1472)
- 1046** Teachers, Principals and School Personnel - As enacted, credits former JROTC instructors currently teaching in subject areas other than JROTC or military science with years experience instructing JROTC or military science for purposes of salary ratings. - Amends TCA Title 49, Chapter 5.(*HB 0782 SB 0942)
- 1047** County Officers - As enacted, specifies that office of constable will not be abolished in Washington and Sumner counties by virtue of either county becoming a Class 2 county based on population. - Amends TCA Title 8, Chapter 10.(*HB 1184 SB 1299)
- 1048** Highways, Roads and Bridges - As enacted, authorizes designation of appropriate bridges or interchanges on State Route 840 in order to honor the memory of Chief Warrant Officer 2 Billie Jean Grinder, Captain Marcus Ray Alford, Staff Sergeant Michael Wayne Tinsley, Sr. and Sergeant David Clay Prescott, Jr. - Amends TCA Title 54.(HB 1338 *SB 0401)
- 1049** Highways, Roads and Bridges - As enacted, designates bridge on State Route 6 in Williamson County as the "Judson E. Mount Memorial Bridge." - (HB 2435 *SB 2386)
- 1050** Sunset Laws - As enacted, extends wildlife resources commission, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 70, Chapter 1.(*HB 2460 SB 2424)
- 1051** Education - As enacted, requires the state board of education, THEC, TBR, and the UT board of trustees to provide video streaming over the Internet of the board meetings of each entity. - Amends TCA Title 49.(*HB 2474 SB 2407)
- 1052** Highway Signs - As enacted, "SSG Carey Thomas Moore Memorial Bridge," S.R. 397 (Mack Hatcher Bypass) in Williamson County. - (*HB 2480 SB 2516)
- 1053** Registers of Deeds - As enacted, authorizes county register offices to collect a \$2.00 electronic filing submission fee for each electronically-filed document recorded over the Internet through such register's county-run electronic filing portal; documents filed by governmental entities are exempt; effective in counties that adopt provisions by two-thirds vote of legislative body. - Amends TCA Section 8-21-1001.(*HB 2510 SB 2606)
- 1054** Highway Signs - As enacted, "Michael Allen Jones Memorial Bridge," U.S. Highway 31E (Gallatin Road) in Metropolitan Nashville. - (*HB 2524 SB 2503)
- 1055** Contractors - As enacted, punishes as theft certain actions of persons performing home improvement services; requires the board of licensing contractors to post

information on its web site when the board disciplines a contractor or home improvement services provider or contractor; revises other provisions regarding home improvement services contractors and providers. - Amends TCA Title 39; Title 47 and Title 62.(*HB 2625 SB 2655)

- 1056** Human Services, Dept. of - As enacted, authorizes the department to provide either a parent education training class for parents or caretakers or children in pre-K through third grade or a program of volunteer service in school in which a parent or caretaker relative who is a recipient of temporary assistance may agree to participate in. - Amends TCA Section 71-3-154.(*HB 2644 SB 2768)
- 1057** Labor and Workforce Development, Dept. of - As enacted, encourages the department to consider the development, implementation, and administration of a program for payment of licensing test costs for adult students who received a high school diploma or GED through a career and technical education program. - Amends TCA Title 4, Chapter 3, Part 14 and Title 49, Chapter 11.(*HB 2645 SB 3354)
- 1058** Capital Punishment - As enacted, adds murder committed against a pregnant woman as an aggravating factor for purposes of imposing death sentence in first degree murder cases. - Amends TCA Title 39 and Title 40.(HB 2693 *SB 2392)
- 1059** Highway Signs - As enacted, "PFC Cleabern W. Hill, Jr., Memorial Highway," segment of S.R. 142 in McNairy County. - (*HB 2696 SB 2723)
- 1060** Child Abuse - As enacted, enacts the "Tennessee Second Look Commission." - Amends TCA Title 4; Title 8; Title 10 and Title 37.(*HB 2765 SB 2701)
- 1061** Domestic Violence - As enacted, authorizes judge to direct defendant convicted of domestic assault to complete counseling program; failure to complete program if so ordered would be grounds for revocation of defendant's participation in alternative sentencing program; increases from \$200 to \$225 fee that defendant convicted of domestic assault may be ordered to pay. - Amends TCA Title 39, Chapter 13, Part 1.(HB 2781 *SB 2709)
- 1062** General Services, Dept. of - As enacted, makes it the duty of the department to care for and preserve the second floor of the capitol building subject to the approval of the speaker of each chamber of the general assembly and increases the minimum number of parking spaces on capitol hill that must be assigned to the chief clerk of each chamber of the general assembly from four to six. - Amends TCA Title 4; Title 8; Title 9 and Title 67.(*HB 2978 SB 3350)
- 1063** Highway Signs - As enacted, "PFC John H. McCree Memorial Bridge," S.R. 11 in Giles County. - (*HB 2990 SB 3010)
- 1065** Foster Care - As enacted, enacts the "Tennessee's Transitioning Youth Empowerment Act of 2010." - Amends TCA Title 37.(*HB 3114 SB 3101)
- 1066** Education - As enacted, removes the June 30, 2010, termination date for the energy efficient schools council. - Amends TCA Title 49.(*HB 3149 SB 3449)
- 1067** Purchasing - As enacted, authorizes any municipality or municipal agency to participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of certain supplies and services; revises other provisions

- regarding purchasing by local government unit. - Amends TCA Title 12, Chapter 3, Part 10.(*HB 3175 SB 3194)
- 1068** Naming and Designating - As enacted, "Larry Lively HoPE Center," Taft Youth Development Center. - (HB 3176 *SB 3097)
- 1069** Sunset Laws - As enacted, extends the Tennessee court of the judiciary, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5.(*HB 3291 SB 3181)
- 1070** State Government - As enacted, requires information be provided on the projected financial impact of rules and regulations proposed to be promulgated during a fiscal year. - Amends TCA Section 3-2-107; Title 4, Chapter 5, Part 2 and Title 9, Chapter 4, Part 51.(*HB 3351 SB 3549)
- 1071** Utilities, Utility Districts - As enacted, creates a special joint committee to study the feasibility of providing relief to senior citizens by freezing or capping their utility rates. - Amends TCA Title 5; Title 6; Title 7 and Title 65.(HB 3446 *SB 3215)
- 1072** Highways, Roads and Bridges - As enacted, "Isaac Hayes Memorial Highway," I-40 in Shelby County. - (*HB 3471 SB 3345)
- 1073** Education - As enacted, requires that at least one staff member at the Tennessee school for the blind, the Tennessee school for the deaf, and the West Tennessee school for the deaf become certified as a CPR instructor and be responsible for training other members of the school in CPR. - Amends TCA Title 49 and Title 68. (HB 3499 *SB 2789)
- 1074** Taxes, Real Property - As enacted, increases the amounts that may be charged regarding the filing of an application for exemption from property taxes as a religious, charitable, scientific, or educational institution and the costs of a hearing on the assessment of property taxes; and increases the limit on the amount of the processing fees that may be assessed for electronically filed appeals prior to filing of the actual appeal forms from \$1.00 per parcel to \$2.00 per parcel. - Amends TCA Section 67-5-1501 and Section 67-5-21.(*HB 3608 SB 3685)
- 1075** Highway Signs - As enacted, expresses intent to name appropriate bridge on Highway 130 in honor of the late PFC Nathan B. Clemons, USMC. - (HB 3735 *SB 3668)
- 1076** Professions and Occupations - As enacted, prohibits any partnership, association, company, or corporation from engaging in the business of locksmithing in this state without first registering as a locksmith business; and revises various provisions regarding licensure for locksmiths and locksmith apprentices. - Amends TCA Section 62-11-104; Section 62-11-106; Section 62-11-111 and Section 62-11-112. (HB 3812 *SB 3851)
- 1077** General Assembly - As enacted, removes language referring to the office of legislative services; changes office of management information systems to office of legislative information systems. - Amends TCA Title 3.(HB 3939 *SB 3271)
- 1078** Regional Authorities and Special Districts - As enacted, enacts the "Medical School Authorities Act of 2010." - Amends TCA Title 7.(*HB 0193 SB 0131)

- 1079** TennCare - As enacted, revises various provisions regarding actions to be taken prior to requesting an amendment to the waiver and regarding electronic notice to general assembly members of certain proposed changes that affect a specified number of recipients or current or future appropriations of a specified amount. - Amends TCA Title 3 and Title 71.(*HB 0219 SB 1788)
- 1080** DUI/DWI Offenses - As enacted, requires that the determination of whether a DUI offender is a multiple offender be made by counting the number of years that have elapsed between "the dates of the violations that resulted in the convictions" rather than the number of years that have elapsed between "the dates of the convictions"; applies to an offender if at least one DUI violation of the offender occurs on or after July 1, 2010. - Amends TCA Title 55, Chapter 10.(HB 0919 *SB 0844)
- 1081** Lottery, Scholarships and Programs - As enacted, urges the commissioner of education to evaluate the effectiveness of the pilot after school programs funded by the lottery in increasing ACT and SAT scores, eligibility for lottery scholarships, and enrollment in postsecondary institutions. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.(HB 1869 *SB 0981)
- 1082** Education - As enacted, enacts the "Interstate Compact on Educational Opportunity for Military Children." - Amends TCA Title 49.(HB 1911 *SB 1997)
- 1083** Motor Vehicles, Titling and Registration - As enacted, requires in Rutherford County that any applicant for a motor vehicle registration who was a resident of the county in the previous year or years and was liable for and failed to pay the applicable wheel tax to pay all such prior years' wheel tax prior to being issued a current registration; not applicable to licensed motor vehicle dealers, financial institutions, or businesses and applicants engaged in the rental of motor vehicles, trucks, and trailers for periods of 31 days or less. - Amends TCA Title 55, Chapter 4, Part 1.(HB 2052 *SB 1686)
- 1084** Abuse - As enacted, requires certain health care professionals to conduct registry check before employing or contracting with any person who would be providing direct patient care; revises provisions governing background checks for certain employees who provide care or contact to recipients of mental health services. - Amends TCA Title 33; Title 34; Title 63; Title 68 and Title 71.(*HB 2284 SB 2297)
- 1085** Administrative Procedure (UAPA) - As enacted, continues certain permanent rules filed with secretary of state after January 1, 2009; removes the question of whether an administrative action concerning a child support lien has been directed to the proper person or entity from the list of issues that are available for administrative review under the rules of the Tennessee department of human services child support division. - Amends TCA Title 4, Chapter 5.(*HB 2454 SB 2472)
- 1086** Sunset Laws - As enacted, extends state board for licensing contractors, June 30, 2014; revises various provisions governing board's membership. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 6.(*HB 2455 SB 2430)
- 1087** Sunset Laws - As enacted, extends the advisory council on workers compensation, June 30, 2012; revises various provisions regarding the council. - Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6.(*HB 2456 SB 2471)
- 1088** Highways, Roads and Bridges - As enacted, "PFC Roy W. Neal Memorial Bridge,"

S.R. 75 in Sullivan County. - (*HB 2548 SB 2855)

- 1089** Employees, Employers - As enacted, authorizes employers to require English be spoken in the workplace at certain times if there is legitimate business purpose for requirement; establishes certain protections for employees absent or late to work due to work on volunteer rescue squad. - Amends TCA Section 4-21-401.(*HB 2685 SB 2753) **{See Appendix "F"}**
- 1090** Sentencing - As enacted, diverts certain non-violent property offenders from sentence of incarceration to sentence to community correction, probation or diversion program and increases percentage of sentence person convicted of aggravated robbery with weapon must serve. - Amends TCA Title 40, Chapter 35. (*HB 2813 SB 3431) **{See Appendix "G"}**
- 1091** Public Contracts - As enacted, requires promulgation of regulations authorizing a preference in the evaluation of proposals for state contracts requiring the performance of call center services for vendors through whom such services will be solely provided by citizens of the United States who reside in the United States, or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States; establishes certain requirements regarding participation in national flood insurance program. - Amends TCA Title 5; Title 6; Title 7 and Title 12, Chapter 4, Part 1.(*HB 2822 SB 2839)
- 1092** Pensions and Retirement Benefits - As enacted, specifies that any member of the superseded judges' retirement system who fails, through error of the state, to receive a retirement benefit to which the member is entitled to is entitled to that member's retirement benefit plus interest of 5 percent per annum, calculated on a monthly basis, from the date the payment should have been made through the date of payment; applies to benefits payable from April 1, 2008, to January 1, 2009. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 36 and Title 8, Chapter 37.(*HB 2989 SB 2886)
- 1093** Food and Food Products - As enacted, requires food service establishments that sell imported catfish or imported catfish products to label such catfish or catfish products as "imported" on their menus. - Amends TCA Title 53.(*HB 3136 SB 3096) **{See Appendix "J"}**
- 1094** Domestic Violence - As enacted, requires that the judge, upon finding that the respondent violated an order of protection or court approved consent order, order the respondent to post a bond of at least \$2,500 until such time as the order of protection expires; specifies other requirements in regard to the bond, forfeiture of the bond and proceeds from a judgment for the amount of the bond. - Amends TCA Section 36-3-610.(*HB 3142 SB 3100)
- 1095** Campaigns and Campaign Finance - As enacted, revises provisions governing a corporation using its funds in regard to an election; prohibits contributions to candidates; authorizes use of funds for communications regarding election or defeat of candidate; specifies reporting requirements and exceptions. - Amends TCA Title 2, Chapter 10 and Title 2, Chapter 19.(*HB 3182 SB 3198)
- 1096** DUI/DWI Offenses - As enacted, revises provisions governing which court will make determination of violation of implied consent law; revises other provisions governing implied consent law. - Amends TCA Title 55, Chapter 10.(HB 3282 *SB 3121)

- 1097** Boards and Commissions - As enacted, enacts the "Financial Literacy Program of 2010." - Amends TCA Title 49.(*HB 3334 SB 3234)
- 1098** State Government - As enacted, creates a procurement commission, state protest committee, procurement office, and an advisory council on state procurement and regulates the procurement, management, contracting, and disposal of goods and services by the state. - Amends TCA Title 4 and Title 12.(*HB 3353 SB 3598)
- 1099** Criminal Offenses - As enacted, creates the Class A misdemeanor of harboring or hiding a runaway. - Amends TCA Title 39, Chapter 15, Part 4.(*HB 3376 SB 3459)
- 1100** Health Care - As enacted, creates a stand-alone "department of intellectual and developmental disabilities." - Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71.(*HB 3526 SB 3341) **{See Appendix "J"}**
- 1101** Public Records - As enacted, excepts the office of the county register from the requirement of collecting the \$5.00 archives and record management fee per document filed; specifies that county and municipal legislative bodies will be authorized to establish and collect, through the clerks of court, an archives and records management fee of \$5.00 for each document filed for the purpose of initiating a legal proceeding. - Amends TCA Title 5; Title 6; Title 7; Title 10 and Title 68, Chapter 3.(*HB 3631 SB 3480)
- 1102** Highway Signs - As enacted, expresses intent to name appropriate bridge on State Highway 41A in honor of the late Lance Corporal Gregory Posey, USMC. - (HB 3736 *SB 3667)
- 1103** Highway Signs - As enacted, expresses intent to name appropriate bridge on Highway 41 over the Duck River in honor of the late Sgt. David Alexander Stephens, U.S. Army. - (HB 3739 *SB 3665)
- 1104** Highway Signs - As enacted, expresses intent to name appropriate bridge on State Highway 53 over I-24 in honor of the late PFC Brian J. Schoff, U.S. Army. - (HB 3740 *SB 3673)
- 1105** Child Abuse - As enacted, urges that public transportation buses promote the existence of a parental help line organized by Prevent Child Abuse Tennessee as space allows in interior advertising; requires department of education to require LEAs to distribute information regarding the help line; requires department of human services to require licensed child care facilities to distribute information regarding the help line. - Amends TCA Title 37, Chapter 10.(HB 3753 *SB 3638)
- 1106** Education - As enacted, requires commissioner of education, in collaboration with the state-level school safety team, to develop guidelines and training for all public school administrators and human resource personnel regarding the prevention of workplace violence; authorizes the commissioner to direct up to 5 percent of the funds appropriated to the Tennessee school safety center for the development and delivery of training materials and guidelines on school safety issues. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 5.(HB 3794 *SB 3875)

- 1107 Professions and Occupations - As enacted, updates licensing requirements for locksmiths in accordance with the Locksmith Licensing Act of 2006. - Amends TCA Title 62.(HB 3923 *SB 3644)
- 1108 Appropriations - As enacted, makes appropriations for fiscal years 2009-2010 and 2010-2011. - (SB 3919 *HB 3928)
- 1109 Bond Issues - As enacted, authorizes issuance of bonds to fund state projects. - (SB 3916 *HB 3925)
- 1110 Budget Procedures - As enacted, authorizes the index of appropriations from state tax revenues for the 2010-2011 fiscal year to exceed the index of estimated growth in the state's economy by \$126.6 million or 1.10 percent. - (SB 3917 *HB 3926)
- 1111 State Government - As enacted, enacts the "Tennessee Residence Commission Act of 2010." - Amends TCA Title 4, Chapter 23.(*SB 3847 HB 3847)
- 1112 Immigrants - As enacted, requires POST commission to develop a standardized written procedure for verifying citizenship status of persons arrested, booked, or confined in a county or municipal jail or detention facility; requires the keeper of a jail to use such procedure and report those persons who are determined to be in the country illegally to the appropriate federal officials. - Amends TCA Title 40.(*HB 0670 SB 1141)
- 1113 Taxes - As enacted, requires the commissioner of revenue to offset any state tax refunds of \$200 or more that are owed to a taxpayer by the amount of any debt that the taxpayer owes to a state agency or to any person on whose behalf a state agency acts to collect a debt; makes the present law system of submitting asset disclosure forms to inmates mandatory rather than discretionary; revises other provisions relating to tax refunds. - Amends TCA Title 9, Chapter 4; Title 18; Title 36, Chapter 5; Title 41, Chapter 21, Part 9; Title 49, Chapter 4; Title 50, Chapter 7; Title 67, Chapter 1 and Title 71, Chapter 5.(*HB 3169 SB 3135) **{See Appendix "H"}**
- 1114 Taxes - As enacted, creates limited sales tax refund for certain appliances, furniture, and building supplies purchased in response to flood; creates a study committee to examine and make recommendations regarding fiscal policy on the issue of natural disasters; revises provisions regarding what funds are to be used for certain programs regarding wastewater facilities and water systems. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 63; Title 67; Title 68; Title 69; Title 70 and Title 71.(SB 0231 *HB 0228)
- 1115 Election Laws - As enacted, requires that person losing right to vote because of a felony conviction must pay all court costs imposed before right to vote is restored; exception for indigent persons. - Amends TCA Title 40, Chapter 29, Part 2.(*SB 0440 HB 0969)
- 1116 Sentencing - As enacted, enacts the "Markie Voyles Act," which requires an adult convicted of contributing to delinquency of a minor to serve 100 percent of Class A misdemeanor sentence, which is 11 months and 29 days, if offense involved supplying substance to a minor that is unlawful for minor to possess and minor engages in conduct that causes death of another. - Amends TCA Title 37, Chapter 1, Part 1.(*SB 0900 HB 1244)

- 1117** Public Funds and Financing - As enacted, revises emergency financial aid law to consider the economic distress of a local government due to a natural disaster. - Amends TCA Title 4 and Title 9.(*SB 2041 HB 1987)
- 1118** Sunset Laws - As enacted, extends alcoholic beverage commission, June 30, 2010; revised provisions regarding membership of commission. - Amends TCA Title 4, Chapter 29 and Title 57.(SB 2465 *HB 2459)
- 1119** Health Care - As enacted, adds an additional member to the health services and development agency, such member to be a representative of the ambulatory surgical treatment center community. - Amends TCA Section 68-11-1604(b).(SB 2746 *HB 2656)
- 1120** Criminal Offenses - As enacted, enacts the "Rachel Clawson Act of 2010," which classifies the reckless killing of an employee of the department of transportation or a highway construction worker in a posted construction zone by a motor vehicle operator's conduct as vehicular homicide and a Class D felony. - Amends TCA Section 39-13-213.(SB 2882 *HB 2872)
- 1121** Alcoholic Beverages - As enacted, authorizes certain facilities in DeKalb County, Cumberland County, and Henry County to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.(SB 3034 *HB 3034)
- 1122** Physicians and Surgeons - As enacted, requires the board of medical examiners to enter into an agreement with the federal department of homeland security concerning enforcement of federal immigration laws, which may include participation in SAVE program. - Amends TCA Title 63 and Title 68.(*SB 3092 HB 3251)
- 1123** Courts - As enacted, revises various provisions of the Tennessee Court Reporter Act of 2009. - Amends TCA Title 4; Title 20 and Title 24.(*SB 3110 HB 3385)
- 1124** Criminal Offenses - As enacted, deletes the requirement that a person being photographed must be readily identifiable in order for the offense of unlawful photographing to be committed; redefines "penal institution" for purposes of the provisions regarding obstruction of justice. - Amends amend TCA Title 39.(SB 3219 *HB 3277)
- 1125** Administrative Procedure (UAPA) - As enacted, requires a rule-making hearing be conducted for all permanent rules that were previously filed as emergency rules, unless the emergency rule was filed to avoid the loss of federal funds. - Amends TCA Title 4, Chapter 5, Part 2.(SB 3385 *HB 3475)
- 1126** Public Funds and Financing - As enacted, removes specific authority for Johnson City to implement redevelopment districts with tax increment financing; and provides for allocation and payment of property taxes on redevelopment districts subject to tax increment financing. - Amends TCA Title 13, Chapter 20.(SB 3415 *HB 3443)
- 1127** Education - As enacted, requires each local board of education to develop a policy by which students' TCAP test scores for grades 3-8 will comprise 15 to 25 percent of the student's final grade for the spring semester in the subject areas of mathematics, reading/language arts, and science and social studies; revises provisions governing when TCAP exams are to be administered. - Amends TCA

Title 49.(SB 3427 *HB 3545) {**See Appendix "A"**}

- 1128** Municipal Government - As enacted, authorizes municipal governments to create an office of administrative hearing officer to hear building and property maintenance code violations. - Amends TCA Title 6, Chapter 54 and Title 66.(*SB 3428 HB 3659)
- 1129** Business and Commerce - As enacted, creates a small business advocate within the office of the comptroller of the treasury. - Amends TCA Title 8.(SB 3484 *HB 2885)
- 1130** Fees - As enacted, increases the fees for court officers in Wilson County for attending on grand jury or waiting in court from \$75.00 to \$100 and establishes the fee as a minimum; authorizes the county legislative body of such county to increase the fee by resolution no more than once annually. - Amends Title 8, Chapter 21, Part 9.(SB 3495 *HB 2851)
- 1131** Transportation, Dept. of - As enacted, requires the department, in consultation with the department of environment and conservation, to conduct a study relative to recurring flooding near the Sunshine Community in Blount County caused by clearing a landslide from the highway running parallel to the Little River into such river. - Amends TCA Title 4; Title 54 and Title 69.(SB 3538 *HB 3230)
- 1132** Day Care - As enacted, urges the department of human services and the advisory council to review the key indicators for the child care agency report card and the rated licensed system to determine if questions regarding those key indicators should be revised. - Amends TCA Section 71-3-502.(*SB 3804 HB 3947)
- 1133** Alcoholic Beverages - As enacted, authorizes the sale of wine and alcoholic beverages for on-premises consumption at appropriately licensed "limited service restaurants" that are located in counties that have adopted liquor by the drink; specifies that the two liquor stores within the city of Lakewood would be able to continue to be issued licenses for the retail sale of alcoholic beverages if Lakewood gives up its charter as a separate municipality within Davidson County. - Amends TCA Title 57.(*SB 0274 HB 0499) {**See Appendix "I"**}
- 1134** Taxes - As enacted, modifies various tax provisions, including provisions governing sales for resale, captive REITS, brownfield property and job tax credits; establishes tax relief in regard to certain flood-damaged property. - Amends TCA Title 7; Title 55; Title 56; Title 67 and Title 71, Chapter 602 of the Public Acts of 2007; and Chapter 530 of the Public Acts of 2009.(*SB 3901 HB 3787)
- 1135** State Government - As enacted, creates the governor's office of diversity business enterprises within the procurement office; revises provisions governing BEP, certain public records, state museum commission and savings plans for state employees. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.(SB 2616 *HB 2556)
- 1136** Students - As enacted, authorizes drug testing of students who participate in extracurricular activities if reasonable indications that student may have used or is under influence of drugs; requires LEAs testing students for drugs to have policies

and procedures for assisting students testing positive. - Amends TCA Section 49-6-4213.(*SB 2621 HB 3200)

- 1137** Election Laws - As enacted, changes date on which state coordinator of elections must publicly calculate and compare the votes received by each person and declare who has been nominated for office in a primary election or elected to the state executive committee; changes the time of which a voting machine must remain locked. - Amends TCA Section 2-2-115(b)(3); Section 2-2-124(a); Section 2-8-113(a) and Section 2-9-108.(SB 2684 *HB 2750)
- 1138** Sexual Offenders - As enacted, rewrites various provisions of the Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004. - Amends TCA Title 37; Title 40; Title 49 and Title 55.(SB 2724 *HB 2788)
- 1139** Surveyors - As enacted, creates "retired" licensure status for licensed surveyors. - Amends TCA Title 62, Chapter 18, Part 1 and Title 66, Chapter 6, Part 1.(*SB 2775 HB 3247)
- 1140** Veterans - As enacted, grants special consideration for Tennessee service-disabled veteran owned businesses, similar to the consideration given to women owned businesses, in the awarding and procuring of state contracts. - Amends TCA Title 12, Chapter 3, Part 8.(*SB 2785 HB 3252)
- 1141** Lottery, Scholarships and Programs - As enacted, redefines "eligible independent postsecondary institution" to include institutions that are members of an accrediting agency that is recognized by the U.S. department of education and the Council on Higher Education Accreditation; designates Knoxville College as an eligible independent postsecondary institution for purposes of lottery scholarships. - Amends TCA Title 49, Chapter 4, Part 9.(*SB 2899 HB 3479)
- 1142** State Government - As enacted, revises various provisions of the Tennessee Small Business Investment Company Credit Act. - Amends TCA Title 4, Chapter 28 and Title 56.(SB 3049 *HB 2927)
- 1143** Property - As enacted, changes the signage requirements for landowners who desire to prohibit hunting on their property; revises the exemption from storm water user fees for owners of agricultural land. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.(*SB 3052 HB 3232)
- 1144** Local Education Agency - As enacted, authorizes the provision of group medical health insurance for support staff of an LEA. - Amends TCA Title 8, Chapter 27, Part 3.(SB 3125 *HB 3193)
- 1145** Sexual Offenders - As enacted, prohibits sexual or violent sexual offender who is required to be on the sexual offender registry from establishing a primary or secondary residence with two or more other such offenders; prohibits person, corporation, or other entity from knowingly permitting more than three such sexual or violent sexual offenders to establish a primary or secondary residence in any house, apartment, or other habitation owned or under the control of such person, corporation, or entity. - Amends TCA Title 40, Chapter 39.(SB 3290 *HB 3181)
- 1146** Utilities, Utility Districts - As enacted, adds continuing education requirements for

members of utility district board of commissioners; and rewrites provisions for utility district commissioners' removal from office and filling of vacancies. - Amends TCA Title 7, Chapter 82, Part 3; Title 7, Chapter 82, Part 6 and Title 7, Chapter 82, Part 7.(SB 3513 *HB 2865)

- 1147** Real Estate Agents and Brokers - As enacted, revises provisions governing vacation lodging services; requires such services to have a vacation lodging service firm license. - Amends TCA Section 62-13-104.(SB 3536 *HB 3229)
- 1148** Public Records - As enacted, adds two law enforcement members to the advisory committee on open government from the Tennessee sheriffs' association and the Tennessee association of chiefs of police and adds one member from the Society of Professional Journalists and one member from the American Association of Retired People to the committee. - Amends TCA Title 8, Chapter 4, Part 6 and Title 10, Chapter 7.(SB 3551 *HB 3634)
- 1149** Workers Compensation - As enacted, creates a procedure for certain persons engaged in the construction industry to file for an exemption from obtaining workers compensation insurance to cover themselves; creates an employee misclassification advisory taskforce. - Amends TCA Title 1, Chapter 3; Title 29; Title 39, Chapter 11; Title 50; Title 56, Title 68 and Chapter ____ of the Public Acts of 2010 (Ex. Sess.)(Senate Bill 1 / House Bill 7 of the First Extraordinary Session).(SB 3591 *HB 3163) **{See Appendix "B"}**
- 1150** Boards and Commissions - As enacted, revises provisions governing the composition of the commission on firefighting personnel standards and education. - Amends TCA Section 4-24-104.(SB 3602 *HB 3152)
- 1151** Special License Plates - As enacted, authorizes issuance of various new special license plates; extended time in which minimum order must be met for certain plates; revises other special license plate provisions. - Amends TCA Title 55, Chapter 4.(SB 2870 *HB 2896)

APPENDIX "A"

Race To The Top

The governor called the One Hundred and Sixth General Assembly to meet in special session for the purpose of education reform. During the first extraordinary session of 2010, the general assembly passed the Tennessee First to the Top Act of 2010. As a result of the innovations and reforms included in the Tennessee First to the Top Act of 2010, the federal government announced in March 2010 that Tennessee was the winner of an American Recovery and Reinvestment Act of 2009, Race to the Top grant totaling approximately \$500,000,000.

Public Chapter 2, First Extraordinary Session

Public Chapter 2 of the first extraordinary session (hereinafter "Public Chapter 2") implemented the Tennessee First to the Top Act of 2010, which did the following:

- (1) Provided for the establishment of an achievement school district;
- (2) Revised prior law regarding restructuring schools;
- (3) Created a 15-member teacher evaluation advisory committee;
- (4) Revised prior law regarding the evaluation of teachers and principals;
- (5) Revised prior law regarding when and in what manner a teacher, having received a notice of charges, may demand a hearing; and
- (6) Made other revisions to prior law regarding education.

ACHIEVEMENT SCHOOL DISTRICT

Under prior law, a school that does not meet the performance standards established by the state board of education could be placed in improvement status under the jurisdiction of the department of education.

Public Chapter 2 provides for the establishment of an achievement school district by the commissioner of education. The district will provide oversight for the operation of the total program for a school or LEA placed in improvement status under existing law.

Public Chapter 2 authorizes the commissioner to contract with any individual, governmental entity, or nonprofit entity (managing entity) to manage the day to day operations of any or all schools or LEAs in the district including providing direct services to students. A managing entity may apply to the commissioner for a waiver of any state board of education rule that inhibits or hinders the ability of the school or LEA to achieve the required adequate yearly progress benchmarks. However, the rules relating to the following may not be waived: civil rights; health and safety; public records; immunizations; possession of weapons on school grounds; background checks and fingerprinting of personnel; special education services; student due process; parental rights; student assessment and accountability; open meetings; and at least the same equivalent time of instruction as required in regular public schools.

A managing entity may also determine whether any teacher who was previously assigned to the school will have the option of continuing to teach at the school as an employee of the

managing entity or be transferred to other schools within the LEA. Except for the provisions protecting a teacher's rights to accumulated sick leave, retirement benefits, and tenure status, the Education Profession Negotiations Act will not apply to a teacher who accepts the option of teaching at an achievement school district school.

Public Chapter 2 requires the commissioner to develop a transition plan for the purpose of planning the school's or LEA's return to the jurisdiction of the local board of education after the school or LEA achieves the required adequate yearly progress benchmarks for two consecutive years. Implementation of the plan would begin after the school or LEA achieves the required benchmarks for three consecutive years, to be completed after five consecutive years of meeting the benchmarks.

The commissioner may remove any school or LEA from the achievement school district at any time.

Public Chapter 2 provides the following with respect to funding for schools and LEAs that are in the achievement district:

(1) Absent other funding, the achievement school district must use state and local funding to operate a school placed in alternative governance. Such state and local funding may also be used to implement new initiatives and programs to the extent that any increase in recurring expenditures are funded additionally so as not to create a financial burden on the LEA when the school or LEA is removed from the achievement school district;

(2) To the extent that such state funds are not used to support a school or LEA in the achievement school district, such funds must be allocated to a state reserve fund to be distributed to an LEA only upon approval of the commissioner; and

(3) To the extent that such local funds are not used to support a school or LEA in the achievement school district, the LEA must allocate such funds to a special BEP reserve account until the school or LEA is placed back under the jurisdiction of the LEA. It is the intent of Public Chapter 2 that such funds be used only for non-recurring purposes.

Public Chapter 2 requires any managing entity contracting with the commissioner to manage the operation of any school under the First to the Top Act of 2010 to provide timely information to the LEA and director of schools regarding its operation of such schools, including but not limited to matters relating to employment of personnel at the school. The LEA may continue to support the educational improvement of the school under the direction and guidance of the commissioner and in accordance with certain contracts. In addition, any managing entity contracting with the commissioner may voluntarily work with the LEA in providing to the schools professional development or technical assistance, instructional and administrative support, and facilitating any other support that may be beneficial to academic progress of the school.

Public Chapter 2 specifies that any contracts to manage schools or LEAs that have been placed in the achievement school district must require expenditure reports for funds received and expended pursuant to such contracts, and those reports must be provided to the department of education and comptroller for review.

Public Chapter 2 further specifies that no state funds, other than those held within the special reserve account pursuant to this bill, will be expended on schools or LEAs placed in the achievement school district unless specifically appropriated in the general appropriations act.

RESTRUCTURING SCHOOLS

Under existing law, if the school does not meet performance standards by the end of the fourth year on improvement status (called restructuring 1), then the school may be placed in the fifth year of such status, which is called restructuring 2. Restructuring 2 status subjects the school or LEA to certain sanctions, including the implementation of a plan for alternative governance of the school. Public Chapter 2 authorizes the commissioner to choose for the school the plan of alternative governance to be developed and implemented.

Public Chapter 2 authorizes the same sanctions that apply to restructuring 2 schools to apply to schools meeting the U.S. department of education's definition of "persistently low achieving schools." These sanctions include making the director of the LEA of the school responsible for implementing the plan for alternative governance from the options provided by the commissioner of education; provided, that, in the case where the plan for alternative governance is implemented, the LEA will continue to be accountable for the match required by the BEP funding formula for students served. Public Chapter 2 adds that the LEA must continue to provide any support services identified by the commissioner.

Generally, existing law authorizes the commissioner of education to assume any or all powers of governance for a restructuring 2 LEA. Public Chapter 2 specifies that such powers include the power to assign the LEA or individual schools within the LEA to the achievement school district.

TEACHER EVALUATION ADVISORY COMMITTEE

Public Chapter 2 created a 15-member teacher evaluation advisory committee to develop and recommend to the state board guidelines and criteria for the annual evaluation of teachers and principals, including a local-level evaluation grievance procedure. The committee consists of:

- (1) The commissioner of education, who will serve as chair of the committee;
- (2) The executive director of the state board of education;
- (3) The chairpersons of the education committees of the house and senate;
- (4) A K-12 public school teacher appointed by the speaker of the house and a K-12 public school teacher appointed by the speaker of the senate; and
- (5) Nine members to be appointed by the governor, which must consist of three public school teachers, two public school principals, one director of a school district, and three members representing other stake-holders interests.

The state board must adopt guidelines and criteria after the teacher evaluation advisory committee develops its guidelines and criteria for evaluations. The annual evaluations would be a factor in employment decisions including promotion, retention, termination, compensation, and the attainment of tenure status.

Public Chapter 2 requires that 50 percent of the evaluation criteria developed be comprised of student achievement data, as follows:

(1) 35 percent of the evaluation criteria used in teacher and principal evaluations must be student achievement data based on student growth data as represented by TVAAS, or some other comparable measure of student growth, if no such TVAAS data is available; and

(2) The remaining 15 percent must be based on other measures of student achievement selected from a list of measures developed by the committee and adopted by the board. For each evaluation, the person being evaluated must mutually agree with the person conducting the evaluation on which such measures are employed. If the teacher or principal being evaluated does not agree with the measures used, then the person responsible for conducting the evaluation will choose the evaluation measures.

Notwithstanding (1) and (2), if a particular teacher's or principal's student growth data reflects attainment of a specific achievement level, to be recommended by the committee and adopted by the board, then the student growth data may, at the choice of the person being evaluated, comprise 50 percent of the person's evaluation.

Other mandatory criteria for the evaluations include, but are not limited to:

- (1) Review of prior evaluations;
- (2) Personal conferences to include strengths and weaknesses and remediation;
- (3) Relative to teachers only, classroom or position observation followed by written assessment; and
- (4) Relative to principals only, additional criteria pursuant to the principal's employment contract. Under existing law, the contract must contain performance standards including school performance on value added assessment and other benchmarks for student proficiency, graduation rates, ACT scores where applicable and student attendance. Public Chapter 2 specifies that the principal's annual evaluation must be based on student achievement data, with a significant portion, as determined by the board, being student growth data as reflected in teacher effect data and TVAAS data.

The policies adopted by the state board must be effective by July 1, 2011, in order to be implemented prior to the 2011-2012 academic year.

The evaluation procedure does not apply to teachers who are employed under contracts of a duration of 120 days per school year or less who are not employed full time.

The committee will sunset on July 1, 2011, unless continued or extended by the general assembly.

EVALUATION OF TEACHERS AND PRINCIPALS

Under existing law, data from TCAP tests is used to provide an estimate of the statistical distribution of teacher effects on the educational progress of students within school districts. Under prior law, specific teacher's effect on the educational progress of students could not be

used as a part of formal personnel evaluation until data from three complete academic years were obtained. Public Chapter 2 removed such prohibition on using the data as a part of a formal personnel evaluation.

Under existing law, an estimate of specific teacher effects on the educational progress of students is not a public record and is to be made available only to the specific teacher, the teacher's appropriate administrators as designated by the local board of education and school board members. Under Public Chapter 2, such an estimate may also be made available to the state board approved teacher preparation programs of the individual teacher, but may not personally identify the particular teacher.

TEACHER HEARINGS

Under existing law, a tenured teacher who receives a notice of dismissal or suspension charges could demand a hearing before the state board of education within 30 days after receipt of notice. A tenured teacher having received such notice in Davidson County or Memphis could demand such a hearing before an impartial hearing officer selected by the board. Under Public Chapter 2, all tenured teachers, not just those in Nashville and Memphis, have the right to demand a hearing on suspension or dismissal charges, before an impartial hearing officer selected by the board. Public Chapter 2 details the manner in which such a hearing may be held.

All tenured teachers and directors of schools have the right to appeal a decision of the hearing officer to the state board of education on the record and any party has the right to appeal the decision of the board to chancery court.

OTHER REVISIONS

Existing law requires the commissioner to annually formulate a base salary table based on training and experience factors to be applied to all licensed personnel in every LEA, not including substitute personnel. Public Chapter 2 alternatively authorizes an LEA to submit to the commissioner its own proposed salary schedule, subject to collective bargaining where applicable. Implementation of such a salary schedule would be subject to approval by the commissioner and the state board, and in no case may such a schedule result in a reduction of the salary of a teacher employed by the LEA at the time of the adoption of the salary schedule. Any additional expenditure incurred as a result of any alternative salary schedule submitted by an LEA and approved by the commissioner of education pursuant to this Act is subject to appropriation by the governing body empowered to appropriate the funds.

Public Chapter 2 establishes the teacher professional development fund, into which only federal moneys will be deposited, for purposes of improved teaching, pedagogical skills, and classroom instruction.

Public Chapter 2 took effect on January 16, 2010.

Public Chapter 925

Public Chapter 925 clarifies the appeals process for tenured teachers who are dismissed by a local board of education.

Existing law authorizes any tenured teacher who is dismissed or suspended by action of a local board of education to petition for a writ of certiorari from the chancery court of the county where the teacher is employed. The petition must be filed within 30 days from the receipt by the teacher of notice of the decision of the board. The Tennessee First to the Top Act of 2010 requires that any tenured teacher who desires to appeal an intermediate appellate decision made by the board of education must do so within 20 days of receipt of notice of the board's decision. Public Chapter 925 clarifies that a tenured teacher has 30 days within which to appeal the board's decision.

Public Chapter 925 adds to existing law by requiring that if the commissioner of education who is initially appointed to the teacher evaluation advisory committee as chairperson ceases to be the commissioner of education because of resignation or retirement, then such former commissioner remains a member of the committee until the committee ceases to exist. The total number of members of the committee will thereby be increased from 15 to 16.

Public Chapter 1127

Public Chapter 1127 requires each local board of education to develop a policy by which students' TCAP test scores for grades three through eight will comprise 15 to 25 percent of the student's final grade for the spring semester in the subject areas of mathematics, reading/language arts, science and social studies. The policy must utilize performance levels determined by the state board of education and be developed and implemented for the spring semester of 2011.

Public Chapter 1127 replaced the prior law requirement that the commissioner of education must establish yearly dates for the administration of the grades three through eight TCAP tests in a manner that provides the maximum instructional days possible prior to testing while maintaining compliance with all relevant federal law. Public Chapter 1127 instead requires that, beginning with the 2011-2012 school year and every school year thereafter, there will be a testing window of two consecutive school weeks for the administration of the TCAP grades three through eight achievement tests. Testing will begin no earlier than the first Monday occurring on or after April 22 and the tests must not be administered prior to the completion of 150 days of instruction. The commissioner is authorized to adjust the testing schedule for reasons, including, but not limited to, natural disaster, prolonged inclement weather, or serious outbreak of contagious illness.

APPENDIX "B"

Workers' Compensation

Under prior law, sole proprietors and partners were not required to obtain workers' compensation insurance on themselves. Chapter 1041 of the Public Acts of 2008, which took effect December 31, 2009, changed prior law by requiring that sole proprietors and partners who are engaged in the construction industry must obtain workers' compensation coverage on themselves unless they are working on a structure on their own property, for their own use and without compensation or they are doing work directly for a homeowner. During the First Extraordinary Session of the 106th General Assembly in 2010, legislation was enacted, Chapter 1 of the Public Acts of 2010 (Ex. Sess.), to temporarily remove the requirement that sole proprietors and partners who are engaged in the construction industry must obtain workers' compensation coverage on themselves. Chapter 1 of the First Extraordinary Session provides for the requirement being reinstated on March 28, 2011.

Public Chapter 1149

Public Chapter 1149 requires all construction services providers to carry workers' compensation insurance on themselves. This requirement applies whether or not the provider employs fewer than five employees. A construction services provider is exempt from this requirement if the provider:

- (1) Is a construction services provider rendering services on a construction project that is not a commercial construction project and is listed on the construction services provider workers' compensation exemption registry described below;
- (2) Is a construction services provider rendering services on a commercial construction project and is listed on the registry. No more than three construction services providers who are performing direct labor on a commercial construction project may be exempt;
- (3) Is covered under a policy of workers' compensation insurance maintained by the person or entity for whom the provider is providing services;
- (4) Is a sole proprietor or partner engaged in the construction industry doing work directly for the owner of the property;
- (5) Is a sole proprietor or partner building a dwelling or other structure, or performing maintenance, repairs, or making additions to structures, on the sole proprietor or partner's own property for the sole proprietor or partner's own use and for which the sole proprietor or partner receives no compensation; or
- (6) Is a provider whose employment at the time of injury is casual and thus is not subject to the workers' compensation laws.

Any construction services provider who meets one of the following criteria may apply for an exemption from the requirement to carry workers' compensation insurance on the provider:

- (1) An officer of a corporation that is engaged in the construction industry, except that no more than three officers of one corporation are eligible for an exemption;
- (2) A member of an LLC who is engaged in the construction industry if such member owns at least 30 percent of the company;

- (3) A partner in a limited partnership, LLP or a general partnership who is engaged in the construction industry if such partner owns at least 30 percent of the partnership;
- (4) A sole proprietor engaged in the construction industry; or
- (5) An owner of any business entity listed in (1) - (4) that is family owned, except that no more than three owners of one family-owned business may be exempt.

A construction services provider is only eligible for one exemption, regardless of the number of business entities with which the provider may be associated. Any construction services provider requesting an exemption must submit an application to the secretary of state. The exemption is valid for two years from a date and time set by the secretary of state, but may be renewed. If the secretary of state refuses to list a provider on the registry, the provider may appeal the refusal to the chancery court of Davidson County. The court's final decision may be appealed as in other civil proceedings.

Public Chapter 1149 makes it a Class A misdemeanor for any employer to knowingly:

- (1) Coerce or attempt to coerce a job applicant to obtain an exemption to the workers' compensation coverage requirements; or
- (2) Coerce, attempt to coerce, discharge or take any adverse employment action against an employee because the employee has failed to obtain such an exemption.

An action to recover damages for personal injury or death by a construction services provider on the registry will proceed as at common law, and the defendant may make use of common law defenses, but the provider will forego the right to sue to establish or reestablish workers' compensation coverage while the provider is listed on the registry.

A subcontractor engaged in the construction industry under contract to a general contractor engaged in the construction industry may elect to be covered under any policy of workers' compensation insurance insuring the general contractor upon written agreement of the general contractor, regardless of whether such subcontractor is on the registry, by filing written notice of the election with the department of labor and workforce development. The election of coverage may be terminated by the subcontractor or general contractor by providing written notice of the termination to the department and to all other parties consenting to the prior election.

A workers' compensation exemption may be revoked by the secretary of state upon:

- (1) Notification from the board that the board has revoked or suspended any license issued to the construction services provider by the board;
- (2) Notification from the department of any noncompliance with the present law provisions regarding workers' compensation payment of penalties by the construction services provider;
- (3) A determination by the secretary of state that the construction services provider no longer meets the requirements for the exemption; or
- (4) A determination by the secretary of state that the provider failed to renew the exemption or failed to pay any of the fees described below.

If a provider's exemption is revoked, such revocation is effective upon the provider's name and other identifying information no longer appearing on the registry after being removed by the secretary of state.

The secretary of state may charge the following maximum fees:

- (1) \$100 for the issuance of a construction services provider registration to providers who have not been issued a license by the board or of a renewal of such registration;
 - (2) \$100 for the issuance of a construction services provider workers' compensation exemption or of a renewal of such exemption;
 - (3) \$20.00 for the filing of correction information for a document filed with the secretary of state, including change of address information;
 - (4) \$20.00 for the filing of a revocation of the exemption;
 - (5) \$20.00 for the issuance of a copy of a notice that the provider is listed on the registry;
- and
- (6) An online transaction fee to cover costs associated with processing payments for applications submitted online.

WORKERS' COMPENSATION EMPLOYEE MISCLASSIFICATION EDUCATION AND ENFORCEMENT FUND AND THE MISCLASSIFICATION ADVISORY TASKFORCE

Public Chapter 1149 establishes the workers' compensation employee misclassification education and enforcement fund. Any moneys collected from the above fees, other than the online transaction fee, will be deposited into the fund. All money in the fund will be administered by the commissioner of labor and workforce development and will be used to pay for the costs of administering Public Chapter 1149 that are incurred by the secretary of state, educating employers and employees on the requirements of Public Chapter 1149, and in support of the ongoing investigation and prosecution of employee misclassification.

Public Chapter 1149 creates an employee misclassification advisory taskforce to study issues relative to employee misclassification in the construction industry. Membership on the taskforce includes the commissioner of labor and workforce development; the commissioner of commerce and insurance; and the executive director of the board for licensing contractors. The secretary of state, the attorney general, the chairman of the advisory council on workers' compensation, the executive director of the district attorneys general conference, and the director of the TBI all serve as ex officio nonvoting members of the taskforce. The taskforce may appoint additional ex officio nonvoting members as it deems appropriate. By February 1, 2012, and each February 1, thereafter, the taskforce must submit a report on its findings and progress to the commerce, labor and agriculture committee of the senate and the consumer and employee affairs committee of the house.

Beginning with fiscal year 2012-2013, and each fiscal year thereafter, the taskforce must make recommendations to the general assembly regarding programs and services to be funded from the employee misclassification education and enforcement fund.

To the extent permitted by law, every agency, department, office, division or public authority of this state must cooperate with the taskforce and furnish such information that the taskforce determines is reasonably necessary to accomplish its purposes.

The taskforce is scheduled to terminate on June 30, 2014, unless continued by the general assembly.

OTHER CHANGES

Under present law, an employer who deducts any portion of the workers' compensation premium from the wages or salary of any employee entitled to such benefits commits a Class C misdemeanor, and upon conviction is fined for each offense. Public Chapter 1149 specifies that it is also a Class C misdemeanor for any employer whose employee is entitled to the workers' compensation benefits to require such employee to pay any portion of the insurance premium paid by the employer. In addition to the criminal penalties for these two offenses, the commissioner may impose a civil penalty of up to the amount of premiums deducted from such employee's wages or salary. Such a civil penalty would be paid directly to the employee.

Generally, present law provides for various penalties to be assessed against employers who are subject to the workers' compensation laws but who have failed to secure payment of compensation until after being notified in writing of such failure by the commissioner. The monetary penalty is equal to 1.5 times the average yearly workers' compensation premium. Public Chapter 1149 adds that for employers in the construction industry, the penalty will be the greater of \$1,000 or 1.5 times the average yearly workers' compensation premium. Under present law, the penalty for failure to timely obtain coverage in violation of an order by the commissioner is 2.5 times the average yearly workers' compensation premium. Public Chapter 1149 establishes that penalty to be the greater of \$2,000 or 2.5 times the average yearly workers' compensation premium if the employer is in the construction industry.

Public Chapter 1149 requires the commissioner to notify the secretary of state when any employer engaged in the construction industry fails to secure payment of compensation and when an employer who has failed to secure payment of compensation has secured such payment.

Public Chapter 1149 adds that in the event an employer fails to comply with the workers' compensation laws by failing to secure payment of compensation two or more times within the past five years, the commissioner will issue a monetary penalty of 1.5 times the average yearly workers' compensation premium or, in the case of an employer in the construction industry, the greater of \$3,000 to 3 times the average yearly workers' compensation premium for each second or subsequent violation, and such person would be permanently prohibited from obtaining an exemption pursuant to Public Chapter 1149.

Records maintained by the secretary of state relative to the construction services provider registration and to the workers' compensation exemption registration, other than records displayed on the registry, would not constitute a public record and would not be open for public inspection.

For purposes of promulgating rules and regulations, Public Chapter 1149 took effect June 30, 2010. The provisions of Public Chapter 1149 regarding the civil penalties described above will take effect July 1, 2011. The requirement that any employer engaged in the construction industry that fails to comply to secure payment for compensation would be permanently prohibited from obtaining an exemption pursuant to Public Chapter 1149 as described above takes effect March 1, 2012, and will apply only to a failure to secure payment for compensation that occurs on or after such date. For all other purposes, Public Chapter 1149 takes effect March 1, 2011.

APPENDIX "C"

Enhanced Coverage Fee

Public Chapter 909 enacts the "Annual Coverage Assessment Act of 2010" to impose an assessment on covered hospitals for fiscal year (FY) 2010/2011 that, generally, will pay for benefits and services under the TennCare program that otherwise would have been subject to reduction or elimination from TennCare funding for FY 2010/2011 and for payments to hospitals for FY 2010/2011 of a portion of its unreimbursed cost of providing services to TennCare enrollees.

IMPOSITION OF ASSESSMENT

Public Chapter 909 imposes on each covered hospital licensed as of May 13, 2010, an annual coverage assessment for FY 2010/2011. A "covered hospital" means any hospital licensed under present law regarding health or mental health and developmental disabilities, except for the following:

- (1) A hospital that has been designated by the federal centers for Medicare and Medicaid services (CMS) as a critical access hospital;
- (2) A mental health hospital owned by the state of Tennessee;
- (3) A hospital providing primarily rehabilitative or long term acute care services;
- (4) A children's research hospital that does not charge patients for services beyond that reimbursed by third party payors; and
- (5) A hospital that is determined by TennCare as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments.

The amount of the annual coverage assessment is 3.52 percent of a covered hospital's annual coverage assessment base, to be paid in equal quarterly installments. "Annual coverage assessment base" is a covered hospital's net patient revenue as shown in its Medicare cost report for its fiscal year that ended during calendar year 2008 on file with CMS, subject to certain qualifications as detailed in the full text of Public Chapter 909. Such annual coverage assessment will not be effective or imposed until the bureau of TennCare has provided the Tennessee Hospital Association with written notice that:

- (1) It has received a determination from the CMS that the assessment is a permissible source of revenue that does not adversely affect the amount of federal financial participation in the TennCare program; and
- (2) It has received approval from CMS for the distribution of additional payments to hospitals to offset unreimbursed TennCare costs as described below.

Additionally, the annual coverage assessment will not be effective if the coverage and funding from final general appropriations in FY 2010/2011 for the TennCare Program is less than the governor's FY 2010/2011 recommended budget level, and the bureau must prohibit the managed care organizations from implementing reductions of rates in effect on June 30, 2010, for hospitals and physicians by category or type of provider.

Failure of a covered hospital to pay a quarterly installment of the annual coverage assessment when due results in the imposition of a penalty of \$500 per day until the installment is paid in full. If a covered hospital ceases operation prior to payment of its full coverage assessment, then the persons controlling the hospital as of the date the hospital ceased operation are jointly and severally responsible for any remaining assessment installments and unpaid penalties associated with previous late payments. If a covered hospital fails to pay a quarterly installment of the coverage assessment within 30 days of its due date, the bureau will report the failure to the department that licenses the covered hospital. Failure of a covered hospital to pay a quarterly installment of the coverage assessment or any required refund is considered a license deficiency and grounds for disciplinary action. Additionally, the bureau may file a civil action in the chancery court for Davidson County against a covered hospital and its controlling persons to collect delinquent coverage assessment installments, late penalties and refund obligations.

A covered hospital, or an association that includes 30 or more covered hospitals, may file a petition for declaratory order to determine if there has been a failure to satisfy one of the conditions precedent to the valid imposition of the annual coverage assessment. A covered hospital may not increase charges or add a surcharge based on the annual coverage assessment.

MAINTENANCE OF COVERAGE TRUST FUND

Public Chapter 909 establishes the maintenance of coverage trust fund. The fund consists of all annual coverage assessments received by the bureau and of investment earnings credited to the assets of the maintenance of coverage trust fund. Monies in the trust fund, together with all federal matching funds, will be used by the bureau for expenditures in the TennCare program, including:

(1) Expenditures for benefits and services under the TennCare program that otherwise would have been subject to reduction or elimination from TennCare funding for FY 2010/2011;

(2) Solely from the coverage assessment payments received by the bureau, payments to hospitals FY 2010/2011 of a portion of its unreimbursed cost of providing services to TennCare enrollees. "Unreimbursed TennCare costs" means the excess of cost over TennCare net revenue as reported on the hospital's 2008 joint annual report filed with the department of health. The amount of the payment to each covered hospital would be at least 83.155 percent of unreimbursed TennCare cost for that covered hospital; and

(3) Refunds to covered hospitals on the basis of payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was validly imposed.

OTHER PROVISIONS

The bureau will submit requests to CMS to modify the Medicaid state plan, the contractor risk agreements or the TennCare II Section 1115 demonstration project without first submitting the proposed modifications to the select oversight committee on TennCare as required under present law.

At quarterly intervals beginning September 1, 2010, the bureau must submit a report to the select oversight committee on TennCare, the senate and house finance ways and means

committees, the senate general welfare, health and human resources committee, and the house health and human resource committee. The report must include the status of the determination and approval by CMS of the annual coverage assessment, the balance of funds in the maintenance of coverage trust fund, and the extent of which the fund has been used to carry out the provisions of Public Chapter 909.

Public Chapter 909 expires on June 30, 2011, except for the following provisions:

- (1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;
- (2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine whether the annual coverage assessment has been validly imposed; and
- (3) The obligation of the bureau to use and apply the assets of the fund.

APPENDIX "D"

Tax On Merchants Possessing Controlled Substances

Public Chapter 803 of the Public Acts of 2004, which took effect January 1, 2005, imposed an excise tax on the possession of unauthorized substances for the purpose of generating revenues to assist state and local law enforcement agencies in their efforts to combat drug crimes. In July 2009, the Tennessee Supreme Court found the tax to be unconstitutional because the tax cannot be classified as either a tax on merchants, peddlers, or privileges, as authorized by our state constitution. Waters v. Farr, 291 S.W.3d 873 (Tenn. 2009). Public Chapter 962 substitutes the term "merchant" for the term "dealer" and defines a "merchant" in response to this decision.

Prior law levied a tax on unauthorized substances, which must be paid by dealers who possess such an authorized substance. Under prior law, "dealer" meant any person who possessed:

- (1) More than 42.5 grams of marijuana;
- (2) One or more marijuana plants;
- (3) Any illicit alcoholic beverage;
- (4) Seven or more grams of any other unauthorized substance that is sold by weight; or
- (5) 10 or more dosage units of any other unauthorized substance that is not sold by weight.

Public Chapter 962 substitutes the term "merchant" for the term "dealer" and defines "merchant" to mean a merchant or peddler within the scope of Article II, Section 28 of the Constitution of Tennessee, including any person who sells, barter, trades, or distributes to another for consideration any unauthorized substances in a quantity sufficient to create a principal tax liability of at least \$10,000 under Public Chapter 962. Any person who possesses, at a particular time, any unauthorized substances in a quantity sufficient to create a principal tax liability of at least \$10,000 is presumed to be a merchant. This presumption may be rebutted only by clear and convincing evidence that such person did not sell, barter, trade, or distribute for consideration such substances or intend to do so. Article II, Section 28 of the state constitution provides that the legislature has power to tax merchants, peddlers, and privileges, in such manner as they may from time to time direct, and the legislature may levy a gross receipts tax on merchants and businesses in lieu of ad valorem taxes on the inventories of merchandise held by such merchants and businesses for sale or exchange.

Prior law required a law enforcement agency to report to the department within 48 hours of seizing an unauthorized substance described above in (1) - (5) or arresting a dealer of such unauthorized substances when the appropriate tax stamps have not been affixed to such unauthorized substances. Public Chapter 962 revises this provision to require that the report be sent to the department within 48 hours of the seizing of any unauthorized substance or the arresting of a dealer of any unauthorized substance, instead of only those substances described above in (1) - (5).

Public Chapter 962 clarifies that the tax will be measured by the quantity of unauthorized substances sold, bartered, traded, or distributed to another for consideration or the quantity of unauthorized substances possessed with intent to sell, barter, trade, or distribute to another for consideration;

Public Chapter 962 is not a criminal statute but is a civil taxing measure contributing to the general revenue fund and a civil remedial measure designed to mitigate against the enormous costs of law enforcement related to drug control for state and local government.

Public Chapter 962 removed the prior law requirement that a claim for a refund must be filed within six months of the date the tax was paid. Public Chapter 962 instead applies the general requirement that a claim for a tax refund must be made within three years from December 31 of the year in which the payment was made.

Public Chapter 962 provides that information obtained as a result of a merchant's efforts to comply with Public Chapter 962 is confidential and, unless obtained independently from any acts undertaken by a merchant to comply with the tax levied by Public Chapter 962, such acts including the taxpayer's maintenance of a suit to determine liability under the tax levied by Public Chapter 962, may not be disclosed by the commissioner or used in a criminal prosecution other than a prosecution for a violation of Public Chapter 962.

The present law provisions governing disclosure of tax returns and tax information, including the criminal penalties specified therein, apply to the tax levied under Public Chapter 962, except that no information may be disclosed pursuant to those provisions, unless that information was obtained independently from any acts undertaken by a merchant to comply with the tax levied by Public Chapter 962, such acts including the taxpayer's maintenance of a suit to determine liability under the tax levied by Public Chapter 962.

Public Chapter 962 took effect July 1, 2010.

APPENDIX "E"

Possession of Firearms in Restaurants

The bill that became Public Chapter 339 was passed over a gubernatorial veto during the first regular session of the 106th General Assembly. Public Chapter 339 authorized holders of handgun carry permits to possess firearms in restaurants that are open to the public and that serve alcoholic beverages so long as the permit holder is not consuming alcoholic beverages and the owner or operator of the premises has not posted notice that possession of firearms is prohibited within the restaurant. In order for a business to be considered a "restaurant" for purposes of possession of firearms by handgun permit holders, Public Chapter 339 required that the restaurant must serve at least one meal per day, at least five days per week, and that the serving of meals must be the principal business conducted by the restaurant. Public Chapter 339 took effect on July 14, 2009.

In November 2009, the Davidson County Chancery Court held Public Chapter 339 to be unconstitutional on the basis of vagueness in the phrase "and the serving of such meals shall be the principal business conducted." (Civil Action No. 09-1284-I).

Public Chapter 1009 was passed over a gubernatorial veto in the second regular session of the 106th General Assembly. Public Chapter 1009 removed the general prohibition against possession of firearms in a building that is open to the public where liquor, wine or other alcoholic beverages, or beer are served for on premises consumption and made it a Class A misdemeanor offense for any person to possess a firearm within the confines of an establishment that is open to the public where alcoholic beverages are served for consumption on the premises if such person is consuming any such beverages. In addition to committing a Class A misdemeanor offense, any handgun carry permit holder who possesses a firearm while under the influence of alcohol or any controlled substance in an establishment that is open to the public where alcoholic beverages are served for on-premises consumption will be subject to having such person's permit suspended for three years. It remains a Class A misdemeanor for a person who does not possess a handgun carry permit to possess a handgun at a place open to the public where one or more persons are present.

Public Chapter 1009 authorizes the use of the international circle and slash, symbolizing the prohibition of the item within the circle, as an alternative to the statutory signage language to prohibit the possession of firearms on the posted property.

Beginning September 1, 2010, Public Chapter 1009 requires department of safety-approved handgun permit courses to include a component on the effects of alcohol on judgment, coordination and the ability to handle a firearm safely.

Public Chapter 1009 took effect on June 4, 2010.

APPENDIX "F"

English in the Workplace & Nondiscrimination Against Volunteer Rescue Squad Workers

Public Chapter 1089 specifies that it is not a discriminatory practice for an employer to institute a policy in the employer's workplace requiring that all employees speak only in English at certain times when the employer has a legitimate business necessity for such a policy, such as the safe and efficient operation of the employer's business. The employer must provide notice to employees of the policy and the consequences of violating the policy in order for the employer to maintain a defense that is based on Public Chapter 1089 to an employment discrimination claim.

Public Chapter 1089 prohibits an employer from terminating an employee solely because the employee, when acting as a volunteer rescue squad worker, is absent or late to the employee's employment in order to respond to an emergency prior to the time the employee is to report to the employee's place of employment. Public Chapter 1089 creates a cause of action whereby a volunteer rescue squad worker who is terminated from his or her employment due solely to responding to an emergency may file suit against the worker's former employer and seek reinstatement of employment, back pay, reinstatement of fringe benefits, and the reinstatement of any seniority rights.

Public Chapter 1089 authorizes an employer to charge against the employee's regular pay any time that an employee who is a volunteer rescue squad worker loses from employment because of the employee's response to an emergency. Public Chapter 1089 also provides an employer with the right to request that an employee who loses time from the employee's employment to respond to an emergency provide the employer with a written statement from the supervisor or acting supervisor of the volunteer rescue squad worker stating that the employee responded to an emergency and list the time and date of the emergency.

Public Chapter 1089 requires that any employee who is absent or late to the employee's employment in order to respond to an emergency must make a reasonable effort to notify the employee's employer that the employee may be absent or late.

Public Chapter 1089 took effect on June 23, 2010.

APPENDIX "G"

Sentencing of Certain Non-Violent Offenders

The One Hundred and Sixth General Assembly enacted Public Chapter 1090 in order to ensure that sufficient prison space and other limited resources are available for the incarceration of violent offenders and to allow property offenders greater opportunity to make restitution to their victims. Public Chapter 1090 prohibits a judge from sentencing a defendant who commits a non-violent property offense on or after July 1, 2010, to continuous confinement in a local jail or workhouse or in the department of correction, unless, the sentencing judge determines that the defendant has at least one prior conviction at the time that the offense is committed or violated the terms and conditions of the alternative sentence originally imposed upon the defendant. Any of the following offenses are considered a "non-violent property offense" for purposes of Public Chapter 1090:

- (1) Forgery, where the amount of the forgery is less than \$1,000;
- (2) Attempted forgery, where the amount of the forgery is between \$1,000 and \$10,000;
- (3) Criminal simulation where the amount is less than \$1,000;
- (4) Attempted criminal simulation, where the amount is between \$1,000 and \$10,000;
- (5) Facilitating criminal simulation, where the amount is between \$1,000 and \$10,000;
- (6) Felony theft of services, where the amount of the theft is less than \$1,000;
- (7) Shoplifting where the amount taken is less than \$1,000;
- (8) Felony fraudulent use of a credit card, where the amount of the theft is less than \$1,000;
- (9) Felony passing worthless checks, where the amount of the check is less than \$1,000;
- (10) Passing forged checks where the amount of the forgery is less than \$1,000;
- (11) Felony theft of property, where the amount of the theft is less than \$1,000;
- (12) Attempted theft of property, where the amount of the attempted theft is between \$1,000 and \$10,000;
- (13) Facilitating the theft of property, where the amount of the property is between \$1,000 and \$10,000;
- (14) Conspiracy to commit theft of property, where the amount of the property is between \$1,000 and \$10,000;
- (15) Felony vandalism, where the amount of the vandalism is less than \$1,000;
- (16) Fraudulent transfer of a motor vehicle;
- (17) Attempted burglary other than in a habitation;
- (18) Burglary of a motor vehicle; and
- (19) Burning personal property.

Under present law, there is no release eligibility for a person committing aggravated robbery on or after January 1, 2008, if the person has at least one prior conviction for aggravated robbery or especially aggravated robbery. Such person must serve 100 percent of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits may operate to reduce the sentence imposed by the court by more than 15 percent.

Public Chapter 1090 adds that there will be no release eligibility for a person committing aggravated robbery on or after July 1, 2010, regardless of whether or not there is a prior

conviction for aggravated robbery, until the person has served 85 percent of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits may operate to reduce below 70 percent the percentage of sentence imposed by the court such person must serve before becoming release eligible.

APPENDIX "H"

Offsetting Tax Refunds With Debts Owed to the State

Public Chapter 1113 requires the commissioner of revenue to offset any state tax refunds of \$200 or more that are owed to a taxpayer by the amount of any debt that the taxpayer owes to a state agency or to any person on whose behalf a state agency acts to collect a debt. The priority for any offsets under this amendment will be state tax liabilities, child support, judgments and liens, and other debts. A taxpayer who is subject to an offset will have an opportunity for a hearing before the offset is final.

TAX REFUND CLAIMS PROCEDURE

Under present law, when it is determined by administrative review that a person is entitled to a refund or credit of any tax collected or administered by the commissioner, interest must be added to the amount of refund or credit due, beginning 45 days from the date the commissioner receives proper proof to verify that the refund or credit is due and payable. Public Chapter 1113 specifies that if it is determined by administrative review that a debtor (a person who owes a debt to the state or owes a debt for which the state acts as the collector) is entitled to a refund or credit of any tax collected or administered by the commissioner, interest will be added beginning 90 days from the date the commissioner receives proper proof to verify that the refund or credit is due and payable. When it is determined by court order that a debtor is entitled to a refund or credit of any tax collected or administered by the commissioner, interest would be added to the amount of refund or credit due, beginning 90 days from the date of filing a claim for refund.

Public Chapter 1113 only applies to a filed claim for refund of state taxes of \$200 or more that is not eligible for automatic credit or for refund by the commissioner of revenue, with the approval of the attorney general, under existing law. Generally, existing law authorizes the commissioner, subject to the approval of the attorney general, to refund to taxpayers all taxes collected or administered by the commissioner that are, on the date of payment, paid in error or paid against any statute, rule, regulation or clause of the state or federal constitution. Additionally, existing law authorizes the commissioner to automatically issue a credit or refund, without approval of the attorney general, for the portion of estimated taxes paid in excess of the actual liability established by the initial and subsequently filed return for the tax period.

Public Chapter 1113 requires the commissioner of revenue to provide tax information to employees or officers of any state agency, if the tax information is necessary to assist the state in collecting debts that it is owed.

Public Chapter 1113 requires any taxpayer requesting a refund of \$200 or more to complete and submit a written report of debts owed to the state, or for which the state acts as the collector, on a form prescribed by the commissioner to accompany the claim for refund. If a debt is reported and if the claim for refund is approved, any or the entire refund amount would be subject to offset to recover the amount of such debt. Any person who, with intent to deceive, provides false information on such report commits the Class A misdemeanor offense of perjury. Public Chapter 1113 details the information that the report must contain.

Public Chapter 1113 authorizes the commissioner of revenue to require a claimant to pay a fee of up to \$5.00 per offset action to reimburse the department of revenue's costs of collecting the debt on behalf of a claimant.

The department of revenue must annually provide a list of taxpayers for the previous year who received refunds of \$200 or more for which no debts were reported, to the department of human services, the department of labor and workforce development, the bureau of TennCare, Tennessee student assistance corporation, the administrative office of the courts, and the attorney general. If any such claimant receiving the list has information in its records verifying that a named taxpayer owed a debt as of the date of the claim for refund, the claimant must notify the department of revenue of the name of the debtor, the amount of the debt, and the date on which the debt was incurred. The clerk who serves a court of criminal jurisdiction must notify the department if the clerk has determined to participate in the offset provisions of Public Chapter 1113. The department of revenue will make an assessment against the taxpayer to recover the amount of the debt that would have otherwise been offset against the refund payment.

DEBTS OWED BY PRISONERS

Public Chapter 1113 makes the present law system of submitting asset disclosure forms to inmates mandatory rather than discretionary.

PERFORMANCE AUDIT

Public Chapter 1113 requires the comptroller to undertake a performance audit of the implementation and enforcement of this amendment by the department of revenue beginning two years after the date that the bill becomes a law. The comptroller will be required to report the comptroller's findings and recommendations to the finance, ways, and means committees and the government operations committees of the senate and the house of representatives on or before January 15, 2013.

The provisions of Public Chapter 1113 took effect on June 28, 2010, and apply to any claim for refund filed with the department of revenue on or after July 1, 2009, that has not been finally determined.

APPENDIX "I"

Limited Service Restaurants

Public Chapter 1133 authorizes the sale of wine and alcoholic beverages for on-premises consumption at appropriately licensed "limited service restaurants" that are located in counties that have adopted liquor by the drink.

Present law generally authorizes the sale of wine and alcoholic beverages for on-premises consumption at "restaurants" that are located in counties that have adopted liquor by the drink. In order to qualify for licensure to sell wine and alcoholic beverages for on-premises consumption, a restaurant must have a kitchen and dining room, seating for at least 75 people at tables, and an adequate staff of cooks and servers, must be open at least three days per week, and the serving of meals must be the principal business conducted each day the restaurant is open. Public Chapter 1133 specifies that in order to qualify for licensure to sell wine and alcoholic beverages for on-premises consumption as a restaurant, more than 50 percent of the gross revenue of the restaurant must be generated from the serving of meals.

In order to qualify for licensure to sell wine and alcoholic beverages for on-premises consumption, Public Chapter 1133 requires that a limited service restaurant must be an appropriately zoned public place with seating for at least 40 patrons that is kept, used, maintained, advertised and held out to the public as a place where during regular hours of operation:

- (1) Alcoholic beverages, beer or wine are served to patrons;
- (2) A menu of prepared food is made available to patrons;
- (3) The gross revenue from the sale of prepared food is 50 percent or less;
- (4) The facility affirmatively establishes that it will comply with the prohibitions against sexual and pornographic conduct in places where alcoholic beverages are served;
- (5) The facility provides security during the regular hours of operation; and
- (6) Sleeping accommodations are not provided.

Present law imposes an annual privilege tax on restaurants that are licensed to sell alcoholic beverages and wine for on-premises consumption. The tax is based on the number of seats that the restaurant has and ranges from \$750 for restaurants that have 75 to 125 seats to \$1,200 for restaurants that have 276 or more seats. The tax is lower for restaurants that serve wine only. Under Public Chapter 1133, the tax for limited service restaurants is based on the percentage of the limited service restaurant's gross sales that are derived from sales of prepared foods as follows:

- (1) \$2,000, if at least 30 percent but not more than 50 percent of gross sales are prepared food;
- (2) \$3,000, if at least 20 percent but not more than 30 percent of gross sales are prepared food; and
- (3) \$4,000, if at least 15 percent but not more than 20 percent of gross sales are prepared food.

Public Chapter 1133 authorizes businesses that are presently licensed to sell wine and alcoholic beverages for on-premises consumption as restaurants, but that do not meet the food sale requirements to qualify for such a license, to exchange such licenses for limited service restaurant licenses. Under Public Chapter 1133, if a licensee desires to exchange its restaurant license for a limited service restaurant license, the alcoholic beverage commission may issue the establishment a license as a limited service restaurant upon the establishment filing an application for such a license, submitting a sworn statement indicating the gross revenue from the previous year derived from food sales and the gross revenue derived from liquor sales, and paying the required application fee and, if approved, paying the license fee, or the prorated difference between its restaurant license fee and the limited service restaurant license fee, if applicable.

Public Chapter 1133 specifies that the two liquor stores within the city of Lakewood will be able to continue to be issued licenses for the retail sale of alcoholic beverages if Lakewood gives up its charter as a separate municipality within Davidson County.

Public Chapter 1133 took effect on June 30, 2010.

APPENDIX "J"

MISCELLANEOUS

The One Hundred and Sixth General Assembly passed numerous bills and resolutions during the 2010 legislative session that concern a wide range of issues and areas of law affecting all Tennesseans. Among the noteworthy pieces of legislation that the General Assembly passed this year are a proposed constitutional amendment concerning hunting and fishing rights, an increase in the personal property exemption, labeling requirements for catfish, requiring the installation of pool alarms on newly installed swimming pools, a prohibition against local restaurant menu labeling requirements, a limitation on abortion service benefits through certain health care plans that are required to be established pursuant to federal law, creation of the department of intellectual and developmental disabilities, and criminalization of synthetic marijuana.

Senate Joint Resolution 30

Senate Joint Resolution 30 proposes amending the Constitution of Tennessee to specify that the citizens of Tennessee have the personal right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. Pursuant to Article XI, Section 3, the proposed constitutional amendment will be presented to the voters at the November 2010 general election.

Public Chapter 614

Public Chapter 614 was initially passed in the 2009 regular session of the 106th General Assembly before being vetoed by the governor. During the 2010 regular session, the General Assembly overrode the governor's veto. Public Chapter 614 prohibits non-elected bodies of local governments from regulating restaurant menu labeling requirements. Public Chapter 614 also designates the department of health as the state agency that is responsible for enforcing any federal nutritional content labeling requirements for restaurant menus, if the federal government passes any such requirements and authorizes states to enforce those requirements. Public Chapter 614 took effect on February 8, 2010.

Public Chapter 787

Public Chapter 787 increased the personal property exemption for the first time since 1980. The amount exempted from seizure, attachment or execution increased from \$4,000 to \$10,000, effective July 1, 2010.

Public Chapter 850

Public Chapter 850 enacted "Katie Beth's Law," which requires any person or entity that purchases or acquires a swimming pool to be installed after January 1, 2011, to install a pool alarm before using or making available for use such swimming pool. Each person or entity that sells swimming pools to the general public must post a sign stating that state law requires a pool alarm to be installed.

Public Chapter 850 provides that when an electrical inspection is required for the installation of a swimming pool, the inspector may not give final approval for the electrical wiring unless a properly functioning swimming pool alarm has been installed.

Public Chapter 850 prohibits any local government from issuing a building permit for the construction or substantial alteration of a swimming pool located at a residential dwelling unless the project calls for a functioning swimming pool alarm to be installed prior to the completion of the construction project. It is an offense for any person, firm, association or corporation to knowingly accept a building permit for a swimming pool located at a residential dwelling unless a functioning swimming pool alarm will be installed prior to the completion of the construction project.

A violation of the requirements of Public Chapter 850 is a Class C misdemeanor, punishable by a fine only of up to \$100. Second and subsequent offenses would be punishable by a fine only of up to \$500.

Public Chapter 850 does not apply to public swimming pools or multi-family residential housing swimming pools.

Public Chapter 879

Public Chapter 879 prohibits coverage for abortion services under any health care plan that is required to be established in Tennessee through an exchange pursuant to the federal Patient Protection and Affordable Care Act. The Act specifically authorizes any state to elect to prohibit abortion coverage in qualified health plans offered through an exchange in such state if the state enacts a law to provide for such prohibition. Tennessee was the first state to enact a law for the purpose of opting out of abortion coverage.

Public Chapter 922

Public Chapter 922 made it a Class A misdemeanor offense for any person to knowingly produce, manufacture, distribute, or possess synthetic marijuana. There is an exception for drugs that are lawfully prescribed and substances that are approved by the federal FDA. Public Chapter 922 took effect on July 1, 2010.

Public Chapter 1093

Public Chapter 1093 requires that any food service establishment that sells imported catfish or imported catfish products must label such catfish or catfish products as "imported" on its menus. Public Chapter 1093 took effect on July 1, 2010.

Public Chapter 1100

Public Chapter 1100 divided the department of mental health and developmental disabilities into the separate departments of the department of mental health and the department of intellectual and developmental disabilities.

